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LEGISLATIVE HISTORY

Public Law 89-632

S. 2393

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INDEX AND SUMMARY OF S. 2393

Aug. 11, 1965 Sen. Monroney introduced and discussed S. 2393 which was referred to Senate Post Office and Civil Service Committee. Print of bill and remarks of author.

Aug. 17, 1965 Rep. Long Md., introduced H. R. 10498 which was referred to House Post Office and Civil Service Committee. Print of bill.

Aug. 25, 1965 Senate committee voted to report S. 2393.

Aug. 30, 1965 Senate committee reported S. 2393 without amendment. S. Rept. 652. Print of bill and report.

Sept. 1, 1965 Senate passed S. 2393 without amendment.

Sept. 3, 1965 S. 2393 was referred to House Post Office and Civil Service Committee. Print of bill as referred.

June 2, 1966 House committee reported S. 2393 with amendments. H. Rept. 1604. Print of bill and report.

June 6, 1966 House passed S. 2393 under suspension of the rules.

Aug. 31, 1966 Senate conferees were appointed.

Sept. 6, 1966 House conferees were appointed.

Sept. 20, 1966 House received conference report. H. Rept. 2047. Print of report.

Sept. 21, 1966 House agreed to conference report.

Sept. 22, 1966 Senate agreed to conference report.

Oct. 8, 1966 Approved: Public Law 89-632.

DIGEST OF PUBLIC LAW 89-632

ADDITIONAL SUPERGRADE POSITIONS. Increases the number of GS-16, 17, and 18 positions for use in agencies or functions created or substantially expanded after June 30, 1965, in certain management, administrative, scientific, and research and development positions.

89TH CONGRESS
1ST SESSION

S. 2393

IN THE SENATE OF THE UNITED STATES

AUGUST 11 (legislative day, AUGUST 10), 1965

Mr. MONRONEY (for himself, Mr. BREWSTER, and Mr. CARLSON) introduced the following bill; which was read twice and referred to the Committee on Post Office and Civil Service

A BILL

To authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (b) of section 505 of the Classification Act
4 of 1949, as amended (5 U.S.C. 1105 (b)), relating to the
5 maximum number of positions authorized at any one time
6 for grades 16, 17, and 18 of the General Schedule of such
7 Act and the authority of the President to approve a limited
8 number of such positions for new agencies and functions, is
9 amended by striking out "twenty-four hundred" and insert-

1 ing in lieu thereof "twenty-five hundred", and by adding
 2 after "subparagraph" in paragraph (2) a comma and the
 3 following: "and one hundred of such positions shall be avail-
 4 able only for allocation, with the approval of the President,
 5 for agencies or functions created or substantially expanded
 6 after June 30, 1965".

89TH CONGRESS
1ST SESSION

S. 2393

A BILL

To authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965.

By Mr. MONRONEY, Mr. BREWSTER, and
Mr. CARLSON

AVGUST 11 (legislative day, AVGUST 10), 1965
Read twice and referred to the Committee on Post
Office and Civil Service

other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVRS when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE:

S. 2396. A bill for the relief of Alton R. Conner; to the Committee on the Judiciary.

S. 2397. A bill to amend the act of March 2, 1931, to provide that certain proceedings of the Sons of Confederate Veterans shall be printed as a House document; to the Committee on Rules and Administration.

By Mr. WILLIAMS of New Jersey:

S. 2398. A bill for the relief of Dr. Eshmail Sarkis; to the Committee on the Judiciary.

By Mr. FONG:

S. 2399. A bill for the relief of Ernesto Acio Toledo; and

S. 2400. A bill for the relief of Teodora Myrna S. Ungos; to the Committee on the Judiciary.

By Mr. DIRKSEN (for himself and Mr. HRUSKA):

S.J. Res. 103. Joint resolution proposing an amendment to the Constitution of the United States to preserve to the people of each State power to determine the composition of its legislature and the apportionment of the membership thereof in accordance with law and the provisions of the Constitution of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. DIRKSEN when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

RESOLUTION TO PROVIDE FUNDS FOR EACH SENATOR TO HIRE THREE "STUDENT CONGRESSIONAL INTERNS"

Mr. WILLIAMS of New Jersey (for himself, Mr. BAYH, Mr. YARBOROUGH, and Mr. SCOTT) submitted a resolution (S. Res. 139) to provide funds for each Senator to hire three "student congressional interns," which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. WILLIAMS of New Jersey, which appears under a separate heading.)

ISSUANCE OF A SPECIAL STAMP TO HONOR FORMER GENERAL OF THE ARMY DOUGLAS MACARTHUR

Mr. CARLSON. Mr. President, sometimes the U.S. Post Office Department issues a series of definitive stamps. When this is done, the portraits of famous Americans are often placed on these stamps. Many great Americans have been honored in this way. No doubt, there are many who are worthy of this recognition. But, I believe there is one American, recently deceased, who has not been so recognized and should be recognized. He is the former General of the Army, Douglas MacArthur.

This great American did so much to protect and to preserve our freedom. His valiant defense of Luzon made him a national hero. His dramatic escape through Japanese lines upon the collapse of Bataan and Corregidor inspired many American hearts. His personal pledge at that time, "I shall return," will live throughout the ages in the hearts of

loyal Americans and other freedom loving people.

Mr. President, I, therefore, am introducing a bill calling for a special stamp in honor of Gen. Douglas MacArthur and request that it be appropriately referred.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. TOWER. I should like my name to be added as a cosponsor of the measure introduced by the distinguished Senator from Kansas.

Mr. CARLSON. I would be delighted to have the Senator from Texas as a cosponsor of the bill.

Mr. CURTIS. Mr. President, will the distinguished Senator from Kansas yield?

Mr. CARLSON. I am happy to yield.

Mr. CURTIS. Since the Senator is receiving cosponsors of this measure, I would be most delighted to have the honor of cosponsoring the measure.

Mr. CARLSON. I appreciate the request of the distinguished Senator from Nebraska.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. DIRKSEN. I, too, would like to have my name added as a cosponsor of the proposed legislation.

Mr. CARLSON. I thank the distinguished minority leader.

Mr. President, I ask unanimous consent that the names of the Senator from Nebraska [Mr. CURTIS], the Senator from Texas [Mr. TOWER], and the Senator from Illinois [Mr. DIRKSEN] be added as cosponsors of the measure.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill will be received and appropriately referred.

The bill (S. 2389) to provide for the issuance of a special postage stamp in honor of the memory of the late General of the Army, Douglas MacArthur, introduced by Mr. CARLSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

OFFICIAL RESIDENCE FOR THE VICE PRESIDENT

Mr. SMATHERS. Mr. President, for nearly all of the time I have served in the Congress there has been discussion of legislation to create an official residence for the Vice President of the United States, the man who is in direct line to assume the Presidency in the case of Presidential inability or death.

In 1948, Representatives Gearhart of California and Gregory of Kentucky introduced companion bills to provide an official residence for the Vice President.

The Washington Evening Star said of this proposal, in an editorial dated August 5, 1948:

The Vice President is really a standby President. He should receive enough salary to enable him to live in a style befitting this high position. And it would not be overdoing things to relieve him of the task of house hunting by assuring him of a rent-

free home for him and his family while he occupies the No. 2 Executive.

Again, in 1957, President Eisenhower was reported by U.S. News & World Report, to favor the establishment of a permanent official residence for the Vice President.

In each case, the Vice President of the United States was regarded as an official deserving of this treatment because he is not only the potential successor to the Presidency but because he is, in modern practice, very close to the daily execution of the powers of that office. In effect, he is an assistant President as well as standby President.

Thus, in the last year when talk again revived about the establishment of a Vice President's residence, it seemed clear that after long years there now existed broad consensus support for such legislation.

Therefore, Mr. President, I think the time has come to stop treating the second in command like a second-class citizen.

The Vice President of the United States should be provided with the facilities necessary to carry out his official duties, including those ceremonial responsibilities, in a manner which befits that high office.

The Congress should wait no longer.

While many proposals have been offered on possible sites for the official residence, it is my opinion that the property best suited for immediate use is the principal residence located on the grounds of the Naval Observatory.

I therefore submit for appropriate reference, a bill designating the principal residence on the Naval Observatory grounds, together with such appurtenant lands as shall be designated by the Administrator of General Services, as the official residence of the Vice President of the United States, and which authorizes to be appropriated the necessary expenses to defray the cost of operation of the residence.

The Senator from Ohio [Mr. YOUNG] joins me in cosponsoring the bill.

Mr. BASS. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield.

Mr. BASS. I should like to join the Senator from Florida in his remarks and in his effort to acquire an adequate and suitable place of residence for the Vice President of the United States. I have not gone into the possibility of the exact location, but I think the problem is one that should be settled during the present session of the Congress. I commend the distinguished Senator from Florida for bringing the question to the attention of the Senate and introducing the bill.

Mr. SMATHERS. I thank the Senator from Tennessee. I am honored to have him as a cosponsor of the measure, and I ask unanimous consent that his name may be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill will be received and appropriately referred.

The bill (S. 2390) to provide an official residence for the Vice President of the United States, introduced by Mr. SMATHERS (for himself, Mr. BASS, and Mr.

LONG of Ohio), was received, read twice by its title, and referred to the Committee on Government Operations.

EXEMPTION FROM REAL PROPERTY TAXATION

Mr. DIRKSEN. Mr. President, I introduce, for appropriate reference, a bill dealing with tax exemption for the James F. Mitchell Foundation for Medical Education and Research.

Mr. President, I ask unanimous consent that a memorandum on this matter from Mr. Joseph W. Kiernan may be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. BASS in the chair.) The bill will be received and appropriately referred; and, without objection, the memorandum will be printed at this point in the RECORD.

The bill (S. 2391) to effectuate the intent of the Congress as expressed in section 1, paragraph (k) of Public Law 846, 77th Congress, approved December 24, 1942, by adding to the list of institutions named in said paragraph the name of the James F. Mitchell Foundation for Medical Education and Research, an institution similar to the institutions so named, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the District of Columbia.

The memorandum presented by Mr. DIRKSEN is as follows:

EXEMPTION FROM REAL PROPERTY TAXATION (Memorandum Re the James F. Mitchell Foundation for Medical Education and Research)

The James F. Mitchell Foundation for Medical Education and Research is a non-stock, nonprofit corporation which was organized under the laws of the District of Columbia on December 31, 1952. The founders envisioned it as the cornerstone upon which would ultimately be built a coordinated medical facility modeled, on a small scale, after the Mayo Foundation and Clinic.

The activities of the foundation were limited by the absence of funds until April 1, 1960, when the foundation received its first grant from the National Institutes of Health, through the National Heart Institute. Since such date, in reliance primarily upon research grants from the aforesaid source, the foundation has been engaged in research upon the nature and causes of aging diseases, with particular emphasis upon arteriosclerosis and rheumatic disorders, and diseases of the heart and blood.

On May 16, 1962, the foundation was officially granted exemption from Federal income tax by the Internal Revenue Service as a corporation organized and operated exclusively for scientific purposes, no part of the net earnings of which inures to the benefit of any private individual.

Until April 30 of this year, the foundation conducted its medical education and research on the third floor of the Washington Clinic building, under a lease from Clinic Properties Association, Inc., the former owner of the premises. On such date, April 30, 1965, the foundation purchased all of the property of Clinic Properties Association, Inc., being all the land, building, and personal property located at 5401 Wisconsin Avenue NW. The Washington Clinic and the Washington Clinic Pharmacy now rent space for their purposes from the foundation.

Plans are and have for some time been underway for the foundation to construct

on its property a nonprofit, 82-bed hospital which will concern itself primarily with medical and surgical diseases of the heart and vascular system, together with organ transplant work. Once said hospital is constructed and in operation, the foundation will have achieved its beneficent goal of welding into a coordinated organization for the benefit of the entire community a professional and medical practice of high caliber, specialized hospital service in a much-needed field, and effective medical research and education.

The control and management of the affairs of the foundation are vested in a board of trustees comprising 17 outstanding citizens of the community, only five of whom are doctors associated with the Washington Clinic. It is contemplated by said board that funds required for the construction of the hospital, to be named after the late Dr. John H. Lyons, will be solicited from the general public, and necessary steps toward such end have already been taken.

The foundation's aforesaid real property is presently assessed for real property taxation purposes at \$436,020 (land—\$166,020; improvements—\$270,000), resulting in real estate taxes for the fiscal year ended June 30, 1965, of \$10,900.50. With the increase in the tax rate to \$7.20 per \$100 valuation for the fiscal year ending June 30, 1966, the District of Columbia real property taxes on said property (before any increases in assessed values) will be \$11,772.54. The need for relief from such burden is thus apparent.

The foundation's aforesaid real property does not presently qualify for exemption under section 47-801a et seq. of the District of Columbia Code of 1961, as amended. It would appear, however, that exemption may be provided by special act of Congress by adding the property of the foundation to the list of organizations whose property is exempt from taxation by section 801(k). A proposed form of bill to effect such amendment is being furnished herewith.

An alternative means for accomplishing the exemption from taxation is to have adopted by the Congress an act specifically exempting the foundation's property, without reference to exemptions presently in force. A bill along this line is likewise submitted herewith. It has been observed that all recent special exemption acts which have been passed by Congress have made the exemption from real property taxation subject to the provisions of sections 2, 3, and 5 of the December 24, 1942, general exemption act (56 Stat. 1089 D.C. Code secs. 47-801b, 47-801c, and 47-801e). Section 2 of said act (D.C. Code sec. 47-801b) provides as follows:

"§ 47-801b. Income producing property of exempt institutions.

"If any building or any portion thereof, or grounds belonging to and actually used by any institution or organization entitled to exemption under the provisions of sections 47-801a and 47-801c to 47-801f are used to secure a rent or income for any activity other than that for which exemption is granted such building, or portion thereof, or grounds, shall be assessed and taxed. (Dec. 24, 192, 56 Stat. 1091, ch. 826, sec. 2.)"

Were the Congress to enact a law exempting the foundation's property from taxation, but subject to the foregoing provision, it is feared that the assessor would maintain that the securing of rent or income from the Washington Clinic (which occupies three-fourths of the foundation's building) would presently be for an activity (long-term purchase of the property itself) other than that for which the foundation's exemption has been granted. Therefore, of the two bills suggested, the former would appear to be preferable.

Respectfully submitted.

JOSEPH W. KIERNAN.

AUTHORIZATION FOR CERTAIN ADDITIONAL GS-16, 17, AND 18 POSITIONS

Mr. MONRONEY. Mr. President, I introduce, for appropriate reference, for myself, the Senator from Maryland [Mr. BREWSTER], and the Senator from Kansas [Mr. CARLSON], a bill to authorize additional GS-16, 17, and 18 positions for use in agencies or functions created or substantially expanded after June 30, 1965.

Under this proposal, the Government-wide quota of positions which may be placed in GS-16, 17, and 18 would be increased by 100. However, these additional positions would be available for use only upon approval by the President and only for agencies or functions created or substantially expanded after June 30, 1965. We have been advised that a similar reserve of 50 positions which the Congress designated for this purpose in 1961 has been exhausted.

I ask unanimous consent that a letter addressed to me, dated August 6, 1965, from Chairman Macy of the U.S. Civil Service Commission, and a letter from Phillip S. Hughes, Assistant Director for Legislative Reference, Bureau of the Budget, dated August 6, 1965, both in support of this proposal, be printed in the RECORD at this point, as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letters will be printed in the RECORD.

The bill (S. 2393) to authorize additional GS-16, 17, and 18 positions for use in agencies or functions created or substantially expanded after June 30, 1965, introduced by Mr. MONRONEY (for himself, Mr. BREWSTER, and Mr. CARLSON), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

The letters presented by Mr. MONRONEY are as follows:

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., August 6, 1965.
Hon. A. S. MIKE MONRONEY,
Chairman, Committee on Post Office and Civil Service, U.S. Senate, New Senate Office Building.

DEAR MR. CHAIRMAN: This is in response to your request of July 20, 1965, for the views of the Commission on a draft bill to authorize additional supergrade positions for use in agencies or functions created or substantially expanded by legislation enacted after June 30, 1965.

The Commission fully supports the need for this legislation and urges that it be given favorable consideration.

Under the proposed amendment, the Government-wide quota of positions which may be placed in GS-16, 17, and 18 would be increased by 100. These additional positions, however, would be available for use only upon approval by the President and only for agencies or functions created or substantially expanded by legislation enacted after June 30, 1965. A similar reserve of 50 positions which the Congress designated for this purpose in 1961 has been exhausted.

Although the immediate purpose of this legislation is to meet the need resulting from an expansion in programs of the Social Security Administration, the draft bill appropriately amends section 505(b) of the Classification Act to make the 100 additional GS-16, 17, and 18 positions available for

Government-wide use. This type of amendment is much more equitable and desirable than the enactment of piecemeal legislation for this purpose each time a function is expanded or a new program is created.

The Commission suggests the title of the bill would be more descriptive if "GS-16, 17, and 18" were substituted for the word "supergrade."

The Commission would not, however, favor this proposal if there is any implication or assumption in supporting statements or the committee reports that the President will be limited in allocating these additional positions solely, or even primarily, to the Social Security Administration.

The Bureau of the Budget advises that from the standpoint of the administration's program there is no objection to the submission of this report.

By direction of the Commission,

Sincerely yours,

(Signed) JOHN W. MACY, Jr.,
Chairman.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., August 6, 1965.

HON. A. S. MIKE MONRONEY,
Chairman, Committee on Post Office and
Civil Service, U.S. Senate, New Senate
Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request of July 20, 1965, for the views of the Bureau of the Budget on a draft bill to authorize additional supergrade positions for use in agencies or functions created or substantially expanded by legislation enacted after June 30, 1965.

The draft bill would raise from 2,400 to 2,500 the limitation on the total number of positions authorized to be placed in grades GS-16, GS-17, and GS-18 under section 505(b) of the Classification Act, and would make the 100 additional positions thereby established available only for allocation with the approval of the President for agencies or functions created or substantially expanded by legislation enacted after June 30, 1965. The purpose of the draft bill is similar to the purpose of action taken in 1961 to authorize allocation of positions to these grades with the approval of the President for agencies or functions created after date of enactment.

We believe provision of authority to allocate additional positions to these grades, with the approval of the President, would be desirable. We believe, however, that flexibility should be provided to allocate positions not only where agencies or functions are created or substantially expanded by legislation, but also where new positions are needed, because of such other action as reorganization plans, and accordingly suggest the phrase "by legislation enacted" be omitted from the draft bill.

Our review of the needs of actual and prospective new agencies and new or expanded functions leads us to believe that the additional number of 100 in the draft would be very helpful at this time, although, of course, exact requirements can only be defined as these programs evolve to their intended level.

In individual cases, such as the expansion of the Social Security Administration which you mention in your letter, the exact minimum requirements can only emerge as the new or expanded program unfolds. We would, therefore, strongly urge that neither the bill itself nor statement of intent place any limitations, as to the number of positions or specific agencies, upon the President's discretion to approve positions for use within the overall ceiling in the category of agencies and functions stated in the bill.

In summary, the Bureau of the Budget would urge favorable action to provide an increase in the total number of positions authorized to be placed in grades GS-16, GS-17, and GS-18, with the approval of the

President, in agencies or functions created or substantially expanded after June 30, 1965.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director
for Legislative Reference.

ACQUISITION OF AN OFFICIAL RESIDENCE FOR THE VICE PRESIDENT

Mr. MONRONEY. Mr. President, I introduce for appropriate reference a bill to provide for the acquisition of an official residence for the Vice President of the United States. I ask unanimous consent that the bill be printed at the conclusion of my remarks.

The bill would authorize the establishment of a Commission for the Acquisition of an Official Residence for the Vice President composed of three members appointed by the President, one from the executive branch and two from private life. It would be the duty of the Commission to select and acquire a suitable residence in the District of Columbia for the use of the Vice President.

The Commission would be authorized to select and acquire an existing building and make necessary alterations and improvements or select and acquire land and construct a new building. The Commission would also be authorized to select any federally owned building now in existence.

The care, maintenance, and operation of the residence would be borne by the Government as is presently the case at the White House. The bill authorizes the appropriation of a maximum of \$1 million for the acquisition.

In the past decade the duties and responsibilities of the Office of the Vice Presidency have increased immeasurably. There is little likelihood this trend will be reversed. As the complexities of a democratic government in a troubled world multiply, it is imperative that the President rely more and more on the Vice President to aid him in the performance and functions of state and other important governmental duties.

To enable the Vice President to carry out in a fitting and proper manner his role as the second ranking leader of our Government, an official residence in the District of Columbia, located near the heart of the city, convenient to the White House and the Capitol, commodious and attractive for the holding of state functions, and maintained at the expense of the Government, is needed.

I hope that hearings will be held promptly and favorable action taken by the Congress so that the business of acquiring such a residence can proceed with all due speed.

I ask unanimous consent that the bill lie on the table for a week so that other Senators may join with me in cosponsoring the measure.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and lie on the table, as requested by the Senator from Oklahoma.

The bill (S. 2394) to provide for the acquisition of an official residence for the Vice President of the United States, introduced by Mr. MONRONEY, was re-

ceived, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established the Commission for the Acquisition of an Official Residence for the Vice President (referred to hereinafter as the "Commission"), which shall be composed of three members appointed by the President, one from the executive branch of the Government and two from private life.

(b) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made. Two members of the Commission shall constitute a quorum.

SEC. 2. (a) The member of the Commission from the executive branch of the Government shall serve without compensation in addition to that received for his services in the executive branch, but he shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in the performance of the duties vested in the Commission.

(b) The members of the Commission from private life shall each receive \$75 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

SEC. 3. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, in accordance with the provisions of the civil service laws and the Classification Act of 1949, as amended.

(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810), but at rates not to exceed \$75 per diem for individuals.

SEC. 4. (a) It shall be the duty of the Commission to select and acquire, on behalf of the United States, a suitable building in the District of Columbia, together with appurtenant buildings and grounds and appropriate furnishings and equipment, for use as the official residence of the Vice President of the United States.

(b) In carrying out its duties under subsection (a) of this section, the Commission may select and acquire an existing building with appurtenant land (including any federally owned building and land) and make necessary alterations and improvements, or may select and acquire land (including federally owned land) and provide for the construction thereon of a suitable building (together with appurtenant buildings). Any acquisition for the purpose of this Act may be made by gift or purchase, or in the event the Commission selected federally owned property, the agency or department having jurisdiction over such property shall, subject to the approval of the President, make such property available for such purposes.

(c) There are hereby authorized to be appropriated such sums, not to exceed \$1,000,000, as may be necessary to carry out the foregoing provisions of this Act.

SEC. 5. The care, maintenance, repair, alteration, refurnishing, improvement, heating and lighting (including electric power and fixtures), and operation (including the employment of a staff) of the official residence and grounds of the Vice President shall be provided at the expense of the United States, and there are authorized to be appropriated annually such amounts as may be necessary for such purposes.

SEC. 6. If the Commission is unable within a reasonable period of time to acquire a suitable residence for the Vice President, it shall

report that fact to the Congress, together with its recommendations for such additional legislation as it determines may be necessary to acquire such a residence.

Sec. 7. Upon the completion of its duties under this Act, the Commission shall submit to the Congress a final report concerning the action taken hereunder, and upon the expiration of thirty days following the submission of such report, the Commission shall cease to exist.

BILL TO AMEND NATIONAL LABOR RELATIONS ACT TO PROVIDE FOR AN EXPEDITED ELECTION IN LIEU OF RECOGNITION ON THE BASIS OF A "CARD CHECK"

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to amend sections 8 and 9 of the National Labor Relations Act to provide for the holding of an expedited election in lieu of recognition on the basis of authorization cards or similar evidence purporting to show that a majority of an employer's employees wish to be represented by a union.

The bill relates to the famous card-check controversy. We believe the bill represents a compromise which will result in earlier elections and, at the same time, not involve the jeopardy to the employer which is claimed now takes place. I shall be proposing the consideration of this matter in connection with the bill to repeal of section 14(b), which is expected to come before the Senate soon.

The recent hearings on repeal of section 14(b) of the Taft-Hartley Act have amply demonstrated that the NLRB has increasingly allowed "card checks" as a basis for requiring union recognition. Under existing law, if a union presents an employer with cards signed by 51 percent or more of the employees, the employer is legally obligated to recognize and bargain with the union, unless the employer has a good faith doubt as to the authenticity of the union's showing of a majority. Under this rule, an employer can be effectively deprived of his right to present his arguments about unionization and then have the employees decide. The employees likewise can be deprived of the right to a secret ballot, even though section 9 of the act provides machinery for conducting such a secret ballot election. Also, a vital point is that a racket posing as a union has a much better chance to get in.

On the other hand, it is sometimes argued that the ordinary election procedures of the act, except in organizational picketing cases, may in some cases unnecessarily delay the process of determining the wishes of the employees.

This bill, however, would neither be a vehicle for delay nor limit the right to a secret ballot election.

The bill makes two changes in existing law.

First. Section 1 of the bill would create a new section 9(c)(6) of the Act, and thereby would provide that an employer faced with a "card check" of more than 50 percent may file a petition and get an election, and if he files such a petition, no unfair labor practice proceeding based solely upon refusal to recognize the

card check will be processed unless the employer dissipates the majority by other unfair labor practices or so "poisons the air" by unfair labor practices that it would be futile or unfair to hold an election at all. Any petition for an election filed under this amendment would be followed by an expedited election under procedures comparable to those now in use under section 8(b)(7)—the high-speed election in cases of organizational or recognition picketing, established by the Landrum-Griffin Act. Under the expedited election procedure, all determinations of bargaining unit questions, eligibility of voters, objections to the conduct of the election, and so forth would be resolved by the Regional Director with only discretionary review by the Board. Under this procedure the time lapse between filing the petition and issuance of a certification would rarely exceed 30 days and often be much shorter.

Second. Section 2 of the bill would create a new section 8(g) of the act, under which, if a card check is presented, the employer is given a reasonable time to verify whether the signatures on the cards are genuine and have been signed voluntarily by the employees and have not been revoked. Thereafter, if he has no good faith doubt as to the authenticity of the union's majority showing on the basis of cards, the employer is obligated either to recognize the union or else file a petition for an expedited election as provided in this bill. If he has no good faith doubt and fails either to recognize the union or request an expedited election, he could be guilty of an unfair labor practice.

In short, the amended proposal cures the main defects in the "card check" procedure—that it could be inaccurate and deprive the employer of the right to tell his side of the story—while at the same time definitely improving the existing certification procedure by providing a union with a quick procedure for a vote heretofore available only in "stranger picketing" cases.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2395) to amend sections 8 and 9(c) of the National Labor Relations Act so as to provide for the holding of expedited representation elections upon petition of employers where labor organizations seek recognition on the basis of employees' authorizations or similar evidence, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9(c) of the National Labor Relations Act is amended by adding the following new paragraph:

"(6) In any case in which it is alleged in a petition filed by an employer pursuant to paragraph (1)(B), that a labor organization

seeking recognition as the representative of the employees of such employer has presented evidence purporting to show that a majority of employees in the appropriate bargaining unit desires to be represented by such labor organization, it shall be the duty of the Board, if it determines that in all other respects a question of representation affecting commerce exists, to forthwith, without regard to the provisions of paragraph (1), direct the holding of such an election in such unit as the Board finds to be appropriate and to certify the results thereof. The consideration of the petition and the holding of the election, in any such case, shall not be delayed by reason of the pendency of an unfair labor practice charge based upon the refusal of the employer to bargain collectively with the labor organization, and no such unfair labor practice charge based upon a refusal to bargain prior to the election shall thereafter be considered unless the Board determines that the labor organization had once been authorized to represent a majority of the employees in the bargaining unit, but that as a result of unfair labor practices committed by the employer (other than unfair labor practices under section 8(a)(5)), (a) such labor organization is no longer authorized to represent such majority or (b) the conditions required for the holding of a fair election no longer exist."

SEC. 2. Section 8 of such Act is amended by adding the following new subsection:

"(g) It shall be an unfair labor practice under subsection (a)(5) of this section for any employer to refuse to recognize a labor organization as the representative of his employees if such employer—

"(1) has been presented with evidence purporting to show that a majority of employees in the appropriate bargaining unit desires to be represented by such labor organization;

"(2) has no bona fide doubt that such majority desires to be so represented; and

"(3) has failed within a reasonable time to file a petition pursuant to paragraph (1)(B) of section 9(c), containing the allegations referred to in paragraph (6) of such section."

FUNDS FOR EACH SENATOR TO HIRE TWO SUMMER INTERNS

Mr. WILLIAMS of New Jersey. Mr. President, our country has always considered itself a young country, and this is as it should be. Part of this is attributable to the constant emphasis that has been placed on youth and education in America. This, too, is in our own best interests. One aspect of this attitude has been a growing effort to demonstrate to younger Americans the working of our Government.

We hope, thus, to stimulate their thinking about government and politics and their activity in this field. Some, we hope, will be interested enough to take up Government service as a career. Some will, in later life, take an active part in government and politics in their home community. And some will stir thinking on their campuses on these subjects.

Here in the Senate, many Members have attempted to further this ideal by establishing summer internships for college students. The students work in a senatorial office for the summer, gaining exposure to and involvement in many facets of the work of the Congress and the executive branch.

Unfortunately, most Senators who have conducted these summer intern-

89TH CONGRESS
1ST SESSION

H. R. 10498

IN THE HOUSE OF REPRESENTATIVES

AUGUST 17, 1965

Mr. LONG of Maryland introduced the following bill; which was referred to the
Committee on Post Office and Civil Service

A BILL

To authorize additional GS-16, GS-17, and GS-18 positions for
use in agencies or functions created or substantially ex-
panded after June 30, 1965.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (b) of section 505 of the Classification Act
4 of 1949, as amended (5 U.S.C. 1105 (b)), relating to the
5 maximum number of positions authorized at any one time
6 for grades 16, 17, and 18 of the General Schedule of such
7 Act and the authority of the President to approve a limited
8 number of such positions for new agencies and functions, is
9 amended by striking out "twenty-four hundred" and insert-
10 ing in lieu thereof "twenty-five hundred", and by adding

1 after "subparagraph" in paragraph (2) a comma and the
2 following: "and one hundred of such positions shall be avail-
3 able only for allocation, with the approval of the President,
4 for agencies or functions created or substantially expanded
5 after June 30, 1965".

89TH CONGRESS
1ST Session

H. R. 10498

A BILL

To authorize additional GS-16, GS-17, and
GS-18 positions for use in agencies or func-
tions created or substantially expanded after
June 30, 1965.

By Mr. LONG of Maryland

AUGUST 17, 1965

Referred to the Committee on Post Office and Civil
Service

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE WASHINGTON, D. C. 20250 OFFICIAL BUSINESS POSTAGE AND FEES PAID U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE (FOR INFORMATION ONLY; NOT TO BE QUOTED OR CITED)

Issued August 26, 1965 For actions of August 25, 1965 89th-1st, No. 157

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HIGHLIGHTS: Senate debated bill to exempt REA coops from FPC jurisdiction. Sen. Carlson submitted amendment to farm bill to prohibit CCC sales of wheat at less than 110 percent of price support. Sen. Young, N. Dak., defended price supports for farm commodities. House passed appropriations continuing resolution. Rep. Nelsen urged action on sugar legislation. Rep. Cooley stated blanketing of farm labor under minimum wage would result in rise in food and fiber costs. Rep. Findley inserted list of Sugar Act payments.

SENATE

- 1. ELECTRIFICATION. Began debate on S. 1459, to amend the Federal Power Act so as to exempt from the regulatory jurisdiction of the Federal Power Commission any cooperative or nonprofit membership organization which is financed by the Rural Electrification Administration. pp. 20931-4 Received from REA a report "on the approval of a loan to the Big Rivers Rural Electric Cooperative Corp., of Henderson, Ky., in the amount of \$3,352,000, for the financing of certain transmission facilities." p. 20850

2. DEFENSE DEPARTMENT APPROPRIATION BILL. By a vote of 89 to 0, passed with amendments this bill, H. R. 9221 (pp. 20896-927). Conferees were appointed (p. 20927). House conferees have not yet been appointed. This bill includes a provision authorizing the Defense Department to purchase milk for enlisted personnel which was previously furnished without charge by CCC.
3. MARKETING ORDERS; FRUITS AND VEGETABLES. The Agriculture and Forestry Committee reported without amendment S. 2092, to permit marketing orders applicable to celery, sweet corn, limes, or avocados to provide for paid advertising (S.Rept. 648). p. 20851
4. WHEAT. Sen. Carlson submitted an amendment intended to be proposed to the farm bill when it is considered to provide that CCC shall not make any sales of wheat at less than 110 percent of current support prices plus reasonable carrying charges. p. 20856
5. PERSONNEL. The Post Office and Civil Service Committee voted to report (but did not actually report) ~~H. R. 8469, with amendment, to provide certain increases in civil service retirement annuities, and~~ S. 2393, to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965. p. D842
Passed without amendment S. 1474, to create a bipartisan commission to study the laws limiting political activity by Federal employees. pp. 20876-7
Sen. Neuberger inserted her testimony in support of passage of H. R. 8469, to provide certain increases in civil service retirement annuities. pp. 20887-8
6. LANDS. The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendments S. 1674, to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources. p. D841
The "Daily Digest" states that the Interior and Insular Affairs Committee "reconsidered its action of August 12 when it approved for reporting with amendment S. 897, to establish the St. Croix National Scenic Waterway, Minn. and Wis., adopted additional amendments thereto, and ordered the bill reported to the Senate." p. D841
The "Daily Digest" states that the Interior and Insular Affairs Committee "considered, but took no final action on, S. 1446, reserving certain public lands for the establishment of a National Wild Rivers System." p. D842
7. FARM PRICES. Sen. Young, N. Dak., defended farm price support programs as a means of supporting farm income and inserted two items in support of his position. pp. 20886-7
8. PATENTS. Sen. Neuberger inserted Sen. Long's testimony before the Subcommittee on Patents, Trademarks, and Copyrights expressing his views on Government patent policy. pp. 20888-90
9. FARM LABOR. Sen. Smith criticized Secretary of Labor Wirtz' decision that it would not be necessary to import Canadian workers to harvest the apple crop in Maine this year. p. 20894
10. FOREIGN AID. Sen. Javits inserted and commended a summary of the report of the Advisory Committee on Private Enterprise in Foreign Aid. pp. 20927-31
11. DISASTER RELIEF. Received from the President "a report on actions taken by five Federal departments and agencies to assist in the recovery of Alaska following the earthquake of March 27, 1964, for the 6-month period ended June 30, 1965." p. 20850

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
TO BE QUOTED OR CITED)

Issued Aug. 31, 1965
For actions of Aug. 30, 1965
89th-1st; No. 159

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HIGHLIGHTS: Senate passed appropriation continuing resolution. Sen. Fulbright urged sale of wheat to Russia. Rep. Findley urged caution in drafting new sugar legislation, and criticized possible "new wheat deal" with Russia. Sen. Ribicoff introduced and discussed pesticide control bill. Rep. St. Onge urged nationwide marketing order for eggs. Rep. Cooley criticized proposed New Castle poultry loans.

SENATE

1. HOUSING. Agreed to the conference report on H. R. 6927, to provide for the establishment of a Department of Housing and Urban Development (pp. 21388-90). The bill includes a provision directing the President to undertake studies of the organization of housing and urban development programs within the Federal Government and to provide Congress with the results of such studies together with recommendations regarding the possible transfer of functions and programs to or from the Department.

2. APPROPRIATIONS. Passed without amendment H. J. Res. 639, the appropriations continuing resolution, which Sen. Hayden stated "extends from August 31 to September 30 existing provisions of law, providing funds for the operation of those agencies of Government for which the regular appropriation bills for the fiscal year 1966 have not yet been enacted" (p. 21388). This measure will now be sent to the President.
3. MARKETING ORDERS. Passed without amendment S. 2092, to permit inclusion of provisions for paid advertising in marketing orders applicable to celery, sweet corn, limes, or avocados. p. 21404
4. EDUCATION. The "Daily Digest" states that on Fri., Aug. 27, a subcommittee of the Labor and Public Welfare Committee "approved for full committee consideration with amendments S. 600, proposed Higher Education Act of 1965." p. D857
5. PERSONNEL. The Post Office and Civil Service Committee reported S. 2393, without amendment, to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965 (S. Rept. 652) and H. R. 8469, with amendments, to provide certain increases in annuities payable from the civil service retirement and disability fund (S. Rept. 653). p. 21377
6. DEFENSE DEPARTMENT APPROPRIATION BILL. Conferees were appointed by both Houses on this bill, H. R. 9221. pp. 21275, 21374
7. WHEAT; FOREIGN TRADE. Sen. Fulbright urged that the U.S. sell wheat to Russia and inserted an article, "Most Canadians Backing Sales of Wheat to Communist Lands." p. 21395
8. DISASTER RELIEF. Sen. Jackson inserted the report of the President on actions taken by the Government to assist in the recovery of Alaska following the earthquake in 1964, including actions of this Department. pp. 21398-8
9. FARM PROGRAM. Sen. Yarborough inserted a letter to the editor by James G. Patton, president of the National Farmers Union, calling "for sound farm bills and rural programs to stabilize our rural areas instead of forcing migration from the farms." p. 21397
Sen. Proxmire inserted a speech by Sen. Kennedy, N. Y., discussing various topics, including reference to the possibility of the U. S. "using all the capacity of its farmers to feed millions of poor people all over the world." pp. 21385-6
10. BALANCE OF PAYMENTS. Sens. Proxmire and Hartke inserted several items reviewing the balance of payments situation, including letters of Secretary of Commerce Connor and Budget Bureau Director Schultze on the matter. pp. 21386-8, 21454-5
11. NOMINATION. Received the nomination of Lawrence F. O'Brien to be Postmaster General (p. 21457). Sen. Mansfield commended the nomination and inserted the transcript of the President's news conference announcing the nomination (pp. 21374-7).
12. FOREIGN AID. Sen. Carlson stated that private enterprise and non-Government resources are important in our foreign aid program and inserted the report of the Advisory Committee on Private Enterprise in Foreign Aid. pp. 21393-4

INCREASING POSITIONS IN GRADES 16, 17, AND 18 OF THE CLASSIFICATION ACT

AUGUST 30, 1965.—Ordered to be printed

Mr. RANDOLPH, from the Committee on Post Office and Civil Service,
submitted the following

REPORT

[To accompany S. 2393]

The Committee on Post Office and Civil Service, to which was referred the bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

STATEMENT

S. 2393 would amend section 505(b) of the Classification Act by increasing the Government-wide quota of positions which may be placed in grades 16, 17, and 18 of the General Schedule from 2,400 to 2,500.

The bill further provides that the additional 100 positions so created would be available for use only upon the approval of the President and only for agencies or functions created or substantially expanded after June 30, 1965.

Although the need for these additional supergrade positions emanated from congressional discussions of the necessity for highly qualified persons and high-level positions to man the greatly expanded operations of the Social Security Administration under the Social Security Amendments of 1965, it is felt that a number of other agencies or functions either created or substantially expanded by congressional action since June 30, 1965, will request allotment of additional GS-16, GS-17, and GS-18 positions.

Among recent legislation which either created or substantially expanded agencies or functions are the Water Resources Planning Act; the Voting Rights Act of 1965; the Drug Abuse Control Amendments of 1965; and the Older Americans Act of 1965. There is also a substantial amount of legislation presently receiving congressional

consideration which, if enacted, will either create or substantially expand agencies or functions.

Congress made provision for a similar reserve of 50 such positions available only for allocation with approval of the President in 1961, but that allocation has now been exhausted.

The 2,400 supergrade positions allotted within the Classification Act presently are subject to percentage limitation, with no more than 12 percent of the total being allotted as GS-18 positions, a maximum of 25 percent to GS-17 positions, and with the remaining percentage of the total allotted as GS-16 positions. The 100 additional supergrade positions provided for under this bill will likewise be subjected to these percentage limitations.

PUBLIC HEARING

Public hearing was held on S. 2393 by the Civil Service Subcommittee of the Senate Committee on Post Office and Civil Service on Wednesday, August 25, 1965. All testimony presented favored enactment of the proposed legislation.

AGENCY VIEWS

Following are letters from the Chairman of the U.S. Civil Service Commission and the Assistant Director for Legislative Reference of the Bureau of the Budget expressing their views on S. 2393.

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., August 6, 1965.

HON. A. S. MIKE MONRONEY,
*Chairman, Committee on Post Office and Civil Service,
U.S. Senate, New Senate Office Building.*

DEAR MR. CHAIRMAN: This is in response to your request of July 20, 1965, for the views of the Commission of a draft bill to authorize additional supergrade positions for use in agencies or functions created or substantially expanded by legislation enacted after June 30, 1965.

The Commission fully supports the need for this legislation and urges that it be given favorable consideration.

Under the proposed amendment, the Government-wide quota of positions which may be placed in GS-16, GS-17, GS-18 would be increased by 100. These additional positions, however, would be available for use only upon approval by the President and only for agencies or functions created or substantially expanded by legislation enacted after June 30, 1965. A similar reserve of 50 positions which the Congress designated for this purpose in 1961 has been exhausted.

Although the immediate purpose of this legislation is to meet the need resulting from an expansion in programs of the Social Security Administration, the draft bill appropriately amends section 505(b) of the Classification Act to make the 100 additional GS-16, GS-17, and GS-18 positions available for Government-wide use. This type of amendment is much more equitable and desirable than the enactment of piecemeal legislation for this purpose each time a function is expanded or a new program is created.

The Commission suggests the title of the bill would be more descriptive if "GS-16, GS-17, and GS-18" were substituted for the word "supergrade."

The Commission would not, however, favor this proposal if there is any implication or assumption in supporting statements or the Committee reports that the President will be limited in allocating these additional positions solely, or even primarily, to the Social Security Administration.

The Bureau of the Budget advises that from the standpoint of the administration's program there is no objection to the submission of this report.

By direction of the Commission:

Sincerely yours,

JOHN W. MACY, JR., *Chairman.*

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., August 6, 1965.

HON. A. S. MIKE MONRONEY,
Chairman, Committee on Post Office and Civil Service,
U.S. Senate, New Senate Office Building,
Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request of July 20, 1965, for the views of the Bureau of the Budget on a draft bill to authorize additional supergrade positions for use in agencies or functions created or substantially expanded by legislation enacted after June 30, 1965.

The draft bill would raise from 2,400 to 2,500 the limitation on the total number of positions authorized to be placed in grades GS-16, GS-17, and GS-18 under section 505(b) of the Classification Act, and would make the 100 additional positions thereby established available only for allocation with the approval of the President for agencies or functions created or substantially expanded by legislation enacted after June 30, 1965. The purpose of the draft bill is similar to the purpose of action taken in 1961 to authorize allocation of positions to these grades with the approval of the President for agencies or functions created after date of enactment.

We believe provision of authority to allocate additional positions to these grades, with the approval of the President, would be desirable. We believe, however, that flexibility should be provided to allocate positions not only where agencies or functions are created or substantially expanded by legislation, but also where new positions are needed because of such other action as reorganization plans, and accordingly suggest the phrase "by legislation enacted" be omitted from the draft bill.

Our review of the needs of actual and prospective new agencies and new or expanded functions leads us to believe that the additional number of 100 in the draft would be very helpful at this time, although, of course, exact requirements can only be defined as these programs evolve to their intended level.

In individual cases, such as the expansion of the Social Security Administration which you mention in your letter, the exact minimum requirements can only emerge as the new or expanded program unfolds. We would, therefore, strongly urge that neither the bill itself nor statements of intent place any limitations, as to the number of positions or specific agencies, upon the President's discretion to

approve positions for use within the overall ceiling in the category of agencies and functions stated in the bill.

In summary, the Bureau of the Budget would urge favorable action to provide an increase in the total number of positions authorized to be placed in grades GS-16, GS-17, and GS-18, with the approval of the President, in agencies or functions created or substantially expanded after June 30, 1965.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italics*, existing law in which no change is proposed is shown in roman):

SECTION 505(B) OF THE CLASSIFICATION ACT OF 1949 (5 U.S.C. 1105(B))

(b) Subject to subsections (c), (d), (e), (f), (g), and (j) of this section, a majority of the Civil Service Commissioners are authorized to establish and, from time to time, revise the maximum numbers of positions (not to exceed an aggregate of **[twenty-four hundred]**, *twenty-five hundred* in addition to (i) any professional engineering positions primarily concerned with research and development and professional positions in the physical and natural sciences and medicine which may be placed in such grades, and (ii) two hundred and forty examiner positions under section 1010 of this title which may be placed in grade 16 and nine such positions which may be placed in grade 17), which may be in grades 16, 17, and 18 of the General Schedule at any one time, except that under such authority—

(1) not to exceed 25 per centum of such aggregate number may be placed in grade 17 and not to exceed 12 per centum of such aggregate number may be placed in grade 18;

(2) fifty of such positions shall be available only for allocation, with the approval of the President, for agencies or functions created after the date of enactment of this subparagraph, *and one hundred of such positions shall be available only for allocation, with the approval of the President, for agencies or functions created or substantially expanded after June 30, 1965;*

(3) fourteen of such positions shall be available only for allocation to the United States Arms Control and Disarmament Agency;

(4) six of such positions shall be available only for allocation to the Immigration and Naturalization Service of the Department of Justice; and

(5) four of such positions shall be available only for allocation to the Federal Home Loan Bank Board.

89TH CONGRESS
1ST SESSION

Calendar No. 634

S. 2393

[Report No. 652]

IN THE SENATE OF THE UNITED STATES

AUGUST 11 (legislative day, AUGUST 10), 1965

MR. MONRONEY (for himself, Mr. BREWSTER, and Mr. CARLSON) introduced the following bill; which was read twice and referred to the Committee on Post Office and Civil Service

AUGUST 30, 1965

Reported by Mr. RANDOLPH, without amendment

A BILL

To authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (b) of section 505 of the Classification Act
4 of 1949, as amended (5 U.S.C. 1105 (b)), relating to the
5 maximum number of positions authorized at any one time
6 for grades 16, 17, and 18 of the General Schedule of such
7 Act and the authority of the President to approve a limited
8 number of such positions for new agencies and functions, is
9 amended by striking out "twenty-four hundred" and insert-
10 ing in lieu thereof "twenty-five hundred", and by adding

1 after “subparagraph” in paragraph (2) a comma and the
 2 following: “and one hundred of such positions shall be avail-
 3 able only for allocation, with the approval of the President,
 4 for agencies or functions created or substantially expanded
 5 after June 30, 1965”.

Calendar No. 634

89TH CONGRESS
1ST SESSION

S. 2393

[Report No. 652]

A. BILL

To authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965.

By Mr. MONRONEY, Mr. BREWSTER, and Mr.
CARLSON

AUGUST 11 (legislative day, AUGUST 10), 1965
Read twice and referred to the Committee on Post
Office and Civil Service

AUGUST 30, 1965

Reported without amendment



Sept. 1, 1965

8. POVERTY. Rep. Hall objected to a unanimous consent request of Rep. Ford that Rep. Ayres be substituted for Rep. Goodell as a conferee on H. R. 8283, to expand the poverty program. pp. 21629-30
9. BEEF PRICES. Rep. Battin criticized the increases in retail prices of beef, particularly in restaurants, and contended that such increases were not caused entirely by the prices received by farmers and ranchers. p. 21679
10. FOREIGN AGRICULTURE. Rep. Derwinski inserted a statement critical of a report released by the Senate Foreign Relations Committee on economic conditions in Yugoslavia, including alleged praise for "Tito for abandoning collectivization in 1953." pp. 21677-8
11. FOREIGN TRADE. Rep. Dent inserted his recent address critical of the U. S. foreign trade agreements program. pp. 21682-3
12. LEGISLATIVE ACCOMPLISHMENTS. Rep. Multer inserted an editorial commending achievements in the President's domestic legislative program. p. 21712
13. EDUCATION. Rep. Hanna contended that there was lack of coordination among Federal agencies administering programs in the field of education. p. 21715
14. PERSONNEL. Rep. Nelsen charged that "the Civil Service Commission has largely ignored the pleas of some of us in Congress to act vigorously to protect the Federal work force being threatened increasingly by large-scale political wheeling and dealing." pp. 21674-5
15. OPINION POLL. Rep. Stratton inserted the results of a questionnaire in his district on various subjects, including the dairy program, wheat certificate plan, and water systems for communities. p. 21722
16. DATA PROCESSING. Received from GAO a report on "management of automatic data processing facilities in the Federal Government." p. 21724
17. COMMITTEE ASSIGNMENTS. Rep. Latta resigned as a member of the Government Operations Committee. p. 21656

SENATE

18. EDUCATION. Began debate on H. R. 9567, the proposed Higher Education Act of 1965 (pp. 21770-86, 21792-94). This bill had earlier been reported with amendment (S. Rept. 673)(p. 21728).
19. PERSONNEL. Passed without amendment S. 2393, to authorize an additional 100 supergrade positions (GS-16, GS-17, and GS-18) for allocation, with the approval of the President, for agencies or functions created or substantially expanded after June 30, 1965. pp. 21760-61
20. NOMINATION. Confirmed the nomination of Lawrence F. O'Brien to be Postmaster General. pp. 21742-43
21. WATERSHEDS. Received from the Budget Bureau plans for works of improvement on the following watersheds: Blue Eye Creek, Ala.; Beardsley, Calif.; Revolon, Calif.; Mill Creek, Ind.; Mosquito of Harrison, Iowa; Turkey Creek, Kans.; Little Delaware-Mission Creek and tributaries, Kans.; Lower Bayou Teche, La.;

Back Swamp, N.C.; Margaret Creek, Ohio; Rock Creek, Okla.; Escondido Creek, Tex.; and Williams Creek, Tex.; to Agriculture and Forestry Committee. Upper Choptank River, Del. and Md.; Little Raccoon Creek, Ind.; Timber Creek, Kans.; Tamarac, Minn.; Quapaw, Okla.; Duck Creek, Tex.; and Cherrystone, Va.; to Public Works Committee. p. 21728

22. FEDERAL EXPENDITURES. Received from the Joint Committee on Reduction of Non-essential Federal Expenditures a report on Federal employment and pay for July 1965. pp. 21728-32
23. FOREIGN TRADE. Sen. Symington stated that one way to help solve the balance of payments problem "would be to follow the precedent set by many other countries of the free world...and sell wheat for gold to customers behind the Iron Curtain." and inserted several supporting articles. pp. 21734-5
24. NATURAL RESOURCES. Sen. Moss inserted several articles expressing support of his bill for the establishment of a Department of Natural Resources. pp. 21744-48

ITEMS IN APPENDIX

25. OPINION POLL. Extension of remarks of Rep. McVicker discussing results of his questionnaire, and stating that the "response on the agricultural program illuminates the perplexity of so many of us attempting to grapple with this problem." pp. A4933-4
26. DATA PROCESSING; LEGISLATION. Rep. Gibbons inserted an article, "Computers and Legislation", dealing with the experience of the Florida Legislature in adapting modern electronic tools to our legislative process. pp. A4936-7
27. TRANSPORTATION. Extension of remarks of Rep. Garmatz favoring the maintenance of an adequate merchant marine and inserting an article on this subject. pp. A4939-40
28. POVERTY. Extension of remarks of Rep. Powell stating that "there have been some rather fine accomplishments through the poverty legislation" and that the basic worth of this legislation has been realized. pp. A4943-4
29. RECREATION; WILDERNESS. Rep. Wilson, Calif., inserted the second in a series of articles on the proposed recreational development of the San Geronio Wilderness Area, "J. F. K. and a Mountain", in which the author of the article refers to a visit with Secretary Freeman regarding this subject. pp. A4946-7
30. WATER RESOURCES. Extension of remarks of Rep. Horton stressing the need for water pollution abatement and inserted an article, "Fight for Clean Water." p. A4949
Rep. Miller inserted an address by Gov. Brown, Calif., "Vision, Wisdom and Water." pp. A4955-7
31. FARM LABOR. Extension of remarks of Rep. Talcott stating that the "A-team program was generally a flop--almost totally unsuccessful" and that the "Department of Labor did not understand specialty agriculture in California, nor the labor problem, nor kids." pp. A4949-50

Our peace talks with the Chinese Communists only served to weaken the morale of the Government forces which were then winning, and gave the enemy time to regroup their units.

At the conference table, a Communist never negotiates to seek solutions; he talks only to gain time or to wring recognition for his plunder.

Question. Can anything be done now to rectify these mistakes?

Answer. Recently some American friends said to me that, if 16 years ago the United States had supported the Republic of China's military campaign against the Communist insurgents with but one-tenth of what she is now pouring into the Republic of Vietnam, American casualties in Korea and Vietnam could have been spared.

I could not agree with them more, but I would like to add that one-tenth would have been sufficient, and that chiefly moral and logistic, for even then there was no need of direct participation by American armed forces.

Late as it is, there is still time to salvage the situation. The following steps, in my opinion, must be taken by the United States with all seriousness and speed:

First, promote the formation of an effective alliance of the Asian nations that have been victimized or are endangered by Communist aggression, so that whenever any one of them should be attacked, the rest would be dutybound to aid it. The United States, being the arsenal of democracy, should contribute weapons and logistic support, but American ground forces need not take part in any fighting in East Asia.

Second, provide logistic support to the Government of the Republic of China in its action to recover the mainland and restore her territorial sovereignty.

Third, destroy the Chinese Communists' nuclear installations before they can amass a stockpile of atomic weapons and develop a system of delivery.

Fourth, pay serious attention to Mao Tse-tung's program for world revolution after World War II, a document read into the U.S. Senate records on April 29, 1954. The timetable has been delayed, but the program is otherwise being carried out.

UNITED STATES IN ASIA'S HOT SPOTS

Question. Do you see any possibility the United States will be driven out of Asia and the western Pacific?

Answer. No, I do not see such a possibility. The temptation for the United States to quit Asia is understandable, for, with the best of intentions and at tremendous self-sacrifice, American efforts to retrieve Asia from the clutches of Communist enslavement, Moscow or Peking, have so far been mostly disappointments and frustrations.

But the world is now so closely knit that the United States is no more able to disengage herself from Asia than from Europe.

Forces that breached the ramparts of the Monroe Doctrine and propelled the United States into the hottest spots in two world wars remain as active as ever.

As it was then, so it is now—the continued existence of the United States as a free and sovereign nation is contingent upon the maintenance of world peace. For her to disengage herself from Europe and Asia would be to allow her enemies to prepare, in safety, ways and means for her eventual burial.

The United States may wish to leave the rest of the world alone, but the Communists will not leave her alone.

Unless she subscribes to the belief that a leopard can change its spots, she cannot disengage herself from Asia as long as the Peking regimes continues to exist.

The United States must not allow herself to be driven out of Asia. I remember Gen. Douglas MacArthur telling me during a visit in 1950 that "the pivot of the world for the

next few centuries will be in the Pacific, not in the Atlantic." And the United States cannot quit the Pacific.

Question. Can any single country, even one with the enormous military powers of the United States, keep the peace in Asia?

Answer. My answer is "No." The day of Pax Romana is gone. And even Rome failed to keep real peace for long.

But no one is calling upon the United States to shoulder alone the responsibility of keeping the peace in Asia. There are at least a billion Asians ready and anxious to share this burden with her. One thing is certain, Asian nationalism cannot survive where Red imperialism flourishes.

In our struggle for survival, we are confident that Asian manpower coordinated with American technology and supplies will result in the greatest politico-military power in history for the maintenance of peace.

We should not be downhearted, much less feel isolated.

A NEW ALLIANCE NEEDED

Question. Is it possible for the countries confronted by Communist power—the Republic of China, for example, and South Korea and South Vietnam—to be close allies and fight side by side when one is attacked?

Answer. For years I have been advocating this kind of alliance. So far, the greatest single factor preventing its formation is the "no-win" policy of the United States as demonstrated in her not supporting such an alliance. For, in order to be really effective, the alliance needs American participation.

As of now, the United States has bilateral defense agreements with each of these nations and is actually providing them individually with political and military assistance.

This assistance has indeed enabled them to carry on resistance separately, but not enough to insure security and victory. Of course, some of these nations, by making use of the popular hatred for the Communist tyranny, by relying on their own wealth of experience in combating communism and by drawing upon the vast potential of their age-old national culture and traditional ethical concept, can successfully muster their own armed forces and civilian population against the Communists in their own countries without the participation of any foreign troops, provided they are given adequate weapons and logistic supplies.

But, in the absence of such an alliance, none of them can do much to immunize itself from the threat to its own security so long as Communist forces remain entrenched in adjacent countries, because it has no treaty obligations to help its neighbors to solve their Communist problems.

To date, America's most active anti-Communist Asian allies have met with nothing but partition—and at the whim of others.

The Republic of Korea is now broken into two, the Republic of Vietnam is likewise partitioned, and the Republic of China has been only maintaining the status quo here.

These nations eagerly hope that from America they can obtain encouragement and help to form an alliance so that their respective sovereignty and territorial integrity may be regained.

The role America needs to take in this alliance is principally that of providing moral and material support.

Thus, at most, her military participation would be limited to only a small portion of her naval and air forces. Her ground forces will not be involved. The Chinese Communists being weak both in the air and on the sea, are certainly in no position to challenge, the United States naval and air force.

Question. Will there ever be peace in Asia as long as the Communists control China?

Answer. Communism, not nationalism, is the cause of turmoil in Asia today.

In the case of the newly independent Asian nations, most of them realize that they need

economic development and political stability, but they lack experience and sophistication.

Neither do they have foundations for political and social organizations comparable to those that exist in better-developed nations.

Most of them are, therefore, highly vulnerable to Communist infiltration, seduction, and agitation, and their people can be easily incited to create disturbances.

If their governments should decide to proceed with plans for political and economic reconstruction, the Communists will sabotage them by all wicked means at their disposal.

These will incite rumor-mongering, malicious fabrication, and distortion of facts, and so on, until the people can no longer distinguish truth from falsehood, right from wrong.

In the end, the governments will lose prestige in the people's eyes and find themselves unable to carry out the various reconstruction plans. The Communists will take advantage of the situation to move a step closer to attaining their goal, which will be nothing less than seizure of political power.

The Communists instituted strikes in factories and in schools, organized demonstrations, riots, revolts, and bloodshed on the China mainland some 16 years ago, and today they are resorting to the same tactics in other Asian nations.

Communism is, therefore, the source of trouble in all Asia.

In some of the newly independent nations in Asia, as in some of the newly emerging nations in Africa and other parts of the world, the Communists have skillfully camouflaged themselves as nationalists in carrying out infiltration and subversion, in fostering revolts and in supplanting real nationalism.

Their final aim is the complete domination and control of these nations. Once they succeed, they discard their mask of nationalism and reveal their true identity.

I am convinced that there can be neither peace nor security in Asia and in other parts of the world as long as the China mainland remains in the Communist grasp.

PRESSURES FOR WAR

Question. Is there any chance that China under the Communists could develop along the lines of the Soviet Union, so that "competition" with the West would be relatively peaceful?

Answer. This is a kind of wishful thinking completely contrary to facts.

Mao Tse-tung and his cohorts are all Stalinists. They have occupied the China mainland for 16 years. Though they have exploded two nuclear devices since last October, their economy is worsening, while the people are destitute, downtrodden, and have no freedom to speak of.

Therefore, unless the Communists continue their external aggression and expansion, and force the people into wars, they will find it difficult to control the people's anti-Communist movements.

Furthermore, indisputably, the Chinese Communists are much more aggressive-minded than the Bolsheviks in the initial period of the Soviet Revolution.

Even if one should concede that the Chinese Communists might in due course become more moderate along the lines of the Soviet Union, how long does the free world have to wait for this miracle?

We Asians believe that the Peking regime is totally irresponsible, and that if it can produce in the next year or two a very small number of, say, 10 atomic bombs, however crude they may be, it will not hesitate to use them on its anti-Communist Asia neighbors.

There is even the possibility that within the coming 5 or, at most 10 years, Peking

may be able to develop a long-range delivery system.

What if the so-called miracle does not happen?

Is the free world to stand still and thus condone the fall of Asia into Communist hands?

Must we wait for Peiping's atomic weapons to upset the world's nuclear balance and plunge mankind into a global nuclear holocaust?

RACE HATRED: A RED WEAPON

Question. Is there any possibility of the world's dividing into two contending blocs: the heavily populated, underdeveloped countries against the less populated, more advanced countries—or, as some call it, the colored world against the white world?

Answer. In my opinion, this is a problem which deserves the serious study of people with foresight.

Following the rise of nationalism and the fall of old colonialism, the problem of population has assumed greater importance in world politics with particular reference to international wars in the future.

Owing to the general concept prevalent in the twentieth century, it is no longer possible to deny any people their human rights.

As Asia is the home of the majority of the world's population, its weight on the scale of world events is increasing daily.

But this has nothing to do with the question of races. It is due more to differences in cultural levels, stages of economic development, and standards of living, rather than the amount of melanin produced in the epidermis.

Had it not been for the exaggeration of the Communists, who for nefarious reasons of their own are deliberately exploiting racial differences into controversies, it would be obvious that whatever differences exist between nations and races stem from cultural levels, stages of economic development, and standards of living.

These will gradually vanish as the more advanced nations give the less fortunate emerging nations economic aid and technological assistance.

Thus, in due course, any animosities felt by peoples in underdeveloped countries toward those of the better developed countries will lend themselves to reasonable solutions.

Therefore, it is not inevitable that the world should be divided into two hostile blocs.

Moreover, in the context of current world developments, the question of freedom versus slavery is much more important than that of ethnic origins.

We should, therefore, recognize that multiple races exist as a fact of life, and live together in harmony.

The international Communists, especially those in Peiping, however, are utilizing every means to stir up racial hatred in some of the newly independent nations in Asia and Africa.

The Chinese Communists are wasting no time in using this as a powerful weapon in carrying out their studied schemes for aggression and agitation as a means to wrest leadership of the Communist world from the Soviet Union.

Developments in Africa and in southeast Asia show that the Chinese Communists are trying to foment war among the races as a further step toward dominating the world and enslaving mankind. I wonder if the Western nations are aware of this Communist conspiracy and, if so, what precautionary measures are they taking?

How to prevent the Chinese Communists from further fostering and exploiting racial differences and how to remove racial hatred and avert catastrophe are problems demanding the collective wisdom of free nations.

Question. Do you see a possibility of future good relations and a strengthening of

the alliance between the Soviet Union and Communist China?

Answer. I do not see any possibility of a rapprochement between Soviet Russia and the Chinese Communists in the foreseeable future. This is so because their conflicts, clashes, contradictions, and power interests are too deep to leave room for a fundamental readjustment.

A case in point, the war in Vietnam, has not served to mend the rift between Moscow and Peiping.

However, to suppose that the two are headed for a quick military conflict is incorrect.

As to the question about Soviet Russia's policy in the event of a war between the United States and Peiping, this will depend on developments within the Communist bloc as well as in the world situation at the time.

In the Vietnam war, Russia started to give Hanoi assistance only after the Chinese Communists had vociferously accused her of total lack of concern for the "life and death struggle" of a brother "socialist nation." In the face of this accusation, had Russia done nothing, it would have threatened her leadership of the Communist bloc, while bolstering Mao's prestige and strengthening his claim to leadership of the international Communist movement.

When our troops land on the mainland, it is highly improbable that the Chinese Communists would turn to the Soviet Union for assistance or ask for the participation of Soviet troops.

It is equally improbable that the Kremlin would send troops to China and become involved in a purely Chinese war. At any rate, Soviet Russia would scarcely help a regime that is already a formidable contender for the leadership of the Communist world.

JAPAN'S ROLE IN ASIA

Question. Could Japan play a greater role in solving Asia's problems?

Answer. By virtue of her industrial potential, Japan could play a greater role in finding solutions to some of Asia's problems.

But, first of all, she needs to realize once and for all that her basic interests can be effectively safeguarded only if she follows an overall policy of consistent opposition to communism.

This warning is offered because leftist propaganda in Japan is loudly voicing the view that sooner or later there will be a coming together of Japan and the China mainland in answer to economic pressure.

Moreover, there is in Japan a latent anti-Americanism that tempts Communist exploitation.

Fortunately, by weaving Japanese trade interests into some pattern of Asian-Pacific Common Market, it should be possible to detach Japan from Peiping. There is also latent anti-Russianism in Japan to offset the anti-Americanism.

The PRESIDING OFFICER (Mr. Moss in the chair). Is there further morning business? If not, morning business is closed.

AUTHORIZATION OF ADDITIONAL GS-16, GS-17, AND GS-18 POSITIONS IN CERTAIN AGENCIES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 634, S. 2393.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies for functions

created as substantially expanded after June 30, 1965.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2393

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 505 of the Classification Act of 1949, as amended (5 U.S.C. 1105 (b)), relating to the maximum number of positions authorized at any one time for grades 16, 17, and 18 of the General Schedule of such Act and the authority of the President to provide a limited number of such positions for new agencies and functions, is amended by striking out "twenty-four hundred" and inserting in lieu thereof "twenty-five hundred", and by adding after "subparagraph" in paragraph (2) a comma and the following: "and one hundred of such positions shall be available only for allocation, with the approval of the President, for agencies or functions created or substantially expanded after June 30, 1965".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 652), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

STATEMENT

S. 2393 would amend section 505(b) of the Classification Act by increasing the Government-wide quota of positions which may be placed in grades 16, 17, and 18 of the General Schedule from 2,400 to 2,500.

The bill further provides that the additional 100 positions so created would be available for use only upon the approval of the President and only for agencies or functions created or substantially expanded after June 30, 1965.

Although the need for these additional supergrade positions emanated from congressional discussions of the necessity for highly qualified persons and high-level positions to man the greatly expanded operations of the Social Security Administration under the Social Security Amendments of 1965, it is felt that a number of other agencies or functions either created or substantially expanded by congressional action since June 30, 1965, will request allotment of additional GS-16, GS-17, and GS-18 positions.

Among recent legislation which either created or substantially expanded agencies or functions are the Water Resources Planning Act; the Voting Rights Act of 1965; the Drug Abuse Control Amendments of 1965; and the Older Americans Act of 1965. There is also a substantial amount of legislation presently receiving congressional consideration which, if enacted, will either create or substantially expand agencies or functions.

Congress made provision for a similar reserve of 50 such positions available only for allocation with approval of the President in 1961, but that allocation has now been exhausted.

The 2,400 supergrade positions allotted within the Classification Act presently are subject to percentage limitation, with no more than 12 percent of the total being allotted as GS-18 positions, a maximum of 25 percent to GS-17 positions, and with the remaining percentage of the total allotted as GS-16 positions. The 100 additional supergrade positions provided for under this bill

will likewise be subjected to these percentage limitations.

AMENDMENT OF RAILROAD RETIREMENT ACT OF 1937 AND RAILROAD RETIREMENT TAX ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which is H.R. 3157.

The Senate resumed the consideration of the bill (H.R. 3157) amending the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act.

Mr. PELL. Mr. President—

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. MANSFIELD. Mr. President, if the Senator will yield without losing his right to the floor, I suggest the absence of a quorum.

Mr. PELL. I yield.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I feel it necessary to make the point of order that the pending Senate amendment is a tax amendment on a nonrevenue bill. Since the Constitution requires that all revenue measures must originate in the House of Representatives, and since Senators by their oaths are sworn to uphold the Constitution, the Senate is clearly forbidden to originate a tax measure.

As the ranking majority member of the Committee on Finance, I am well aware—and it has been the experience of the committee—that the House of Representatives has consistently refused even to consider a tax measure that originated in this body, so much so that I do not recall an instance, during the period of my membership, when the Senate has even made an effort to originate a tax bill.

The pending measure is a House bill, but is not a revenue bill.

Mr. PELL. The bill is not yet before the Senate.

Mr. LONG of Louisiana. I am sorry; I thought the bill was before the Senate.

Mr. President, I ask that the bill be laid before the Senate.

The PRESIDING OFFICER. The bill is before the Senate.

Mr. PELL. The bill is before the Senate? I misspoke.

Mr. LONG of Louisiana. Then, Mr. President, I wish to make the point of order that the bill came to the Senate as a bill which was not a tax bill. The pending Senate amendment to the bill is a major tax amendment, and it is clearly unconstitutional for the Senate to attach a tax provision to a bill which is not a tax bill. To do so would be in violation of our oaths.

Mr. President, this question has been considered before in both the House of Representatives and the Senate. From my study of the precedents, it is clear—and I have discussed the question with the Parliamentarians of both the House of Representatives and the Senate—that inasmuch as revenue bills must originate in the House of Representatives, a bill providing for a tax must be a revenue bill when it comes to the Senate, and the Senate cannot convert a nonrevenue bill to a revenue bill. For the Senate to attach a tax provision to simple legislation that has nothing to do with revenue when it comes from the House of Representatives is not condoned.

Therefore, I am constrained to make the point of order that this amendment is unconstitutional.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. Is the point of order subject to discussion?

The PRESIDING OFFICER. Under the uniform practices of the Senate for more than 100 years, the Chair has no authority to pass upon points of order as to the constitutionality of a proposal. Those are questions for the Senate to determine. Therefore, the Chair submits to the Senate the question whether or not, under the Constitution, the Senate has a right to consider this amendment, or whether the point of order is well taken. The question, of course, is debatable.

Mr. PELL. Mr. President, first I ask unanimous consent that during the consideration of H.R. 3157, Mr. David Schrieber and Mr. Charles McLaughlin, of the office of the General Counsel of the Railroad Retirement Board, be granted the privilege of the floor, as has been the custom in previous years.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PELL. Mr. President, I recognize, as the Senator from Louisiana [Mr. Long] has pointed out, that article I, section 7, of the Constitution of the United States provides:

All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

First, I submit that the amendment to H.R. 3157, which would raise the taxable wage base under the Railroad Retirement Act from \$450 to \$550 a month, is incidental to the main purpose of the bill, which is to grant benefits to the spouses of railroad retirees.

In fact, in the annotated copy of the Constitution, which all Senators have, and which was prepared by the legislative reference service, I note the statement that only bills to levy taxes in the strict sense of the word are comprehended by the phrase "all bills raising revenue." Bills for other purposes which incidentally create revenues are not included. As an example, a case is cited wherein a bill which provided that the District of Columbia should raise by taxation and pay to designated rail-

road companies a specific sum for the elimination of grade crossings and the construction of the union railroad station did not have to originate in the House of Representatives.

Other cases decided by the Supreme Court are in point: In *Twin City Bank* against *Nebeker*, a case dealing with a tax on bonds used to secure the national currency, the Court held that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes which may incidentally create revenue.

The purpose of this amendment is corollary to the purpose of the bill, and my principle objective is to provide some method for maintaining the deficit in the Railroad Retirement Fund at a tolerable level. Without this amendment, the deficit will rise to approximately \$62 million per year; with it, we can reduce the deficit to about \$24 million.

Mr. President, at this point, I ask unanimous consent to have printed in the *Record* a brief concerning the case I have already cited, *Twin City Bank* against *Nebeker*. Another case, too, is cited; that of *Millard* against *Roberts*.

There being no objection, the excerpt was ordered to be printed in the *Record*, as follows:

EXCERPT FROM THE DECISION OF THE U.S. SUPREME COURT IN THE CASE OF *TWIN CITY BANK v. NEBEKER*, 167 U.S. 196

The contention in this case is that the section of the act of June 3, 1864, providing a national currency secured by a pledge of U.S. bonds, and for the circulation and redemption thereof, so far as it imposed a tax upon the average amount of the notes of a national banking association in circulation, was a revenue bill within the clause of the Constitution declaring that "all bills for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills" (art. 1, sec. 7); that it appeared from the official Journals of the two Houses of Congress that while the act of 1864 originated in the House of Representatives, the provision imposing this tax was not in the bill as it passed that body, but originated in the Senate by amendment, and, being accepted by the House, became a part of the statute; that such tax was, therefore, unconstitutional and void, and that, consequently, the statute did not justify the action of the defendant.

The case is not one that requires either an extended examination of precedents, or a full discussion as to the meaning of the words in the Constitution, "bills for raising revenue." What bills belong to that class is a question of such magnitude and importance that it is the part of wisdom not to attempt, by any general statement, to cover every possible phase of the subject. It is sufficient in the present case to say that an act of Congress providing a national currency secured by a pledge of bonds of the United States, and which, in the furtherance of that object, and also to meet the expenses attending the execution of the act, imposed a tax on the notes in circulation of the banking associations organized under the statute, is clearly not a revenue bill which the Constitution declares must originate in the House of Representatives. Mr. Justice Story has well said that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word and are not bills for other purposes which may incidentally create revenue. (P. 202.)

EXCERPT FROM THE DECISION OF THE U.S. SUPREME COURT IN THE CASE OF MILLARD v. ROBERTS, 202 U.S. 429

The first contention of appellant is that the acts of Congress are revenue measures, and therefore, should have originated in the House of Representatives and not in the Senate, and to sustain the contention appellant submits an elaborate argument. In answer to the contention the case of *Twin City Bank v. Nebeker*, 167 U.S. 196, need only be cited. It was observed there that it was a part of wisdom not to attempt to cover by a general statement what bill shall be said to be "bills for raising revenue" within the meaning of those words in the Constitution, but it was said, quoting Mr. Justice Story, "that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes, which may incidentally create revenue." (1 Story on Constitution, sec. 880.) And the act of Congress which was there passed on illustrates the meaning of the language used. The act involved was one providing a national currency, and imposed a tax upon the average amount of notes of a national banking association in circulation. The provision was assailed for unconstitutionality because it originated in the Senate. The provision was sustained, this Court saying:

"The tax was a means of effectually accomplishing the great object of giving to the people a currency that would rest, primarily, upon the honor of the United States and be available in every part of the country. There was no purpose, by the act or by any of its provisions, to raise revenue to be applied in meeting the expenses or obligations of the Government."

This language is applicable to the acts of Congress in the case at bar. Whatever taxes are imposed are but means to the purposes provided by the act (pp. 436-437).

Mr. PELL. Mr. President, a further point I wish to raise is that any money raised by this amendment does not go into the General Treasury, but rather goes to a special railroad retirement fund. Revenue is defined in Webster's New International Dictionary as:

The annual or periodical yield of taxes, excise, customs, duties, rents, etc., which a nation, State, or municipality collects and receives into the treasury for public use; public income of whatever kind.

Insofar as the funds that would be raised by this amendment are for a private pension fund, I do not see any constitutional prohibition against its origination in the Senate.

Finally, I submit that from the viewpoint of precedent, we have already passed legislation similar to this; that in 1959 the Senate originated a raise in the base of the taxable income, passed it, and sent it to the House, which changed it to a House number but passed a bill in identical form, including a misplaced comma, and sent it back to the Senate.

At that point, various Senators rose to deplore the action of the House, and to defend the constitutionality of the original action of the Senate, including the then majority leader, Senator Johnson, of Texas, and including the present majority whip, the Senator from Louisiana [Mr. Long], and other Senators.

For these reasons, Mr. President, I submit that we are within our rights in passing this amendment as a method to

keep the system fiscally sound, which it certainly is not at this time.

Mr. President, I yield the floor.

Mr. MORSE. Mr. President—

The PRESIDING OFFICER (Mr. JORDAN of Idaho in the chair). The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, in view of the fact that the chairman of the Subcommittee on Railroad Retirement—on which I am privileged to be a member—has made reference to the action in this body of May 5, 1959, in regard to the railroad retirement bill of that year, S. 226, I wish to discuss that precedent briefly.

Enactment by the Senate on May 5, 1959, of S. 226, provided for increases in tax rates under the Railroad Retirement Tax Act to cover the additional benefits provided by the bill. A House companion bill had been reported to, but not enacted by the House. The House reported bill was approved by the House Committee on Interstate and Foreign Commerce, but was unacceptable to railroad labor because the House approved bill failed to provide sufficient revenue and contained other unacceptable provisions. When the satisfactory Senate bill S. 226 reached the House floor, it was adopted by the House in substitution for the House reported bill. No constitutional question was raised by the House, at that time.

It was known, however, that President Eisenhower would veto the bill; and it was also known that if the bill were vetoed on its merits, the veto would be overridden by both Houses of Congress—at least, that was the belief.

It was feared, however, that if the President were to veto the bill because it had a Senate number, some Members of the House might be inclined into following the position of accepting the veto. To avoid this, a Member of the House moved, a few days later, to vacate the previous House action, and then moved to strike from the House-reported bill all after the enacting clause and insert in lieu thereof the Senate provision. This was done, and the enacted bill with a House number was reenacted by the Senate on May 5, 1959.

At that time I was chairman of the subcommittee of the Senate on railroad retirement, occupying the same position which the Senator from Rhode Island [Mr. PELL] occupies today.

The majority leader was the Senator from Texas, Mr. Johnson. The majority leader and I thought that the whole procedure was unnecessary from the standpoint of parliamentary requirement. Nevertheless, we agreed to go along with it, because our objective was to get the bill passed.

I believe it is important that there be read into the RECORD at this time—because I believe it is of controlling and precedential value—the discussion which took place at that time, because in my judgment, if S. 226 on May 5, 1959, was not unconstitutional, the bill before us today is not unconstitutional.

For all intents and purposes, the substantive objectives are the same.

I read from the RECORD of May 5, 1959, starting on page 7472:

AMENDMENT OF THE RAILROAD RETIREMENT ACT OF 1937

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of House bill 5610, to amend the Railroad Retirement Act.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 5610) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 5610) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, which was read the first time by title and the second time at length.

Mr. JOHNSON of Texas. Mr. President, if I may have the attention of the Senator from Oregon [Mr. MORSE], let me say that the House passed, on May 4, H.R. 5610, which amends the Railroad Retirement Act. H.R. 5610 is identical with Senate bill 226, which was passed by the Senate on April 29, and which had been reported by the Senator from Oregon [Mr. MORSE].

The House adopted every line, every word, every punctuation mark in the Senate bill—including a misplaced quotation mark.

I am informed that the House took that action because the bill contained a revenue feature, inasmuch as the bill increases the rate of tax on employers and employees under the railroad retirement system. However, the tax-increase provision is only one of many changes effected by the bill in the railroad retirement law.

Senate bill 226, as passed by the Senate, is not primarily a tax measure. The increase in tax is only part of a bill which is designed to provide much-needed increases in the benefits under the act. In my mind, there is no doubt about the constitutional power of the Senate to initiate such a measure. The Supreme Court has long held that the Senate can initiate and can pass general legislation which contains, as an incidental feature, a revenue provision. The case of *Millard v. Roberts*, decided in 1906, is specific on this point. The annotated constitution, compiled by Professor Corwin, contains numerous citations in support of this view.

I have conferred with the distinguished chairman of the subcommittee who handled the bill, the Senator from Oregon [Mr. MORSE]. It is our conclusion that we do not wish to quibble over the matter; we are primarily concerned with sending this proposed legislation to the President at an early date. In our judgment, the power of the Senate to initiate and to dispose of proposed legislation such as Senate bill 226 is clear and beyond any doubt; and we do not intend to delay the taking of final action on this matter by arguing the procedural question. It is far more important to the railroad workers that such a bill be passed and go to the President and be signed by him into law, rather than that there be long argument over the question of whether the bill bear a House bill number or a Senate bill number.

So, Mr. President, after conferring with the Senator from Oregon and other members of the committee, I urge immediate Senate consideration of House bill 5610, which is identical in every respect with Senate bill 226, which was passed by the Senate on April 29, I believe, by unanimous vote.

Mr. President, I yield now to the Senator from Oregon, so that he may make whatever

89TH CONGRESS
1ST SESSION

S. 2393

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 3, 1965

Referred to the Committee on Post Office and Civil Service

AN ACT

To authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (b) of section 505 of the Classification Act
4 of 1949, as amended (5 U.S.C. 1105 (b)), relating to the
5 maximum number of positions authorized at any one time
6 for grades 16, 17, and 18 of the General Schedule of such
7 Act and the authority of the President to approve a limited
8 number of such positions for new agencies and functions, is
9 amended by striking out "twenty-four hundred" and insert-
10 ing in lieu thereof "twenty-five hundred", and by adding

1 after "subparagraph" in paragraph (2) a comma and the
2 following: "and one hundred of such positions shall be avail-
3 able only for allocation, with the approval of the President,
4 for agencies or functions created or substantially expanded
5 after June 30, 1965".

Passed the Senate September 1, 1965.

Attest: FELTON M. JOHNSTON,

Secretary.

AN ACT

To authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965.

SEPTEMBER 3, 1965

Referred to the Committee on Post Office and Civil
Service

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
FOR INFORMATION ONLY;
(NOT TO BE QUOTED OR CITED)

Issued June 3, 1966
For actions of June 2, 1966
89th-2nd; No. 91

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HIGHLIGHTS: Senate debated fair packaging-labeling bill. House Rules Committee cleared food-for-freedom bill and bill to increase number of supergrade positions. House committee reported bills to authorize Secretary "to estimate parity price for 1966" and to continue provision on notifying of tobacco-allotment leases.

HOUSE

1. PARITY PRICES. The Agriculture Committee reported without amendment H. R. 15089, "to authorize the Secretary of Agriculture to estimate parity price for 1966" (H. Rept. 1605). p. 11640
2. TOBACCO. The Agriculture Committee reported with amendments H. R. 15124, to continue the provision modifying the requirement that copies of tobacco-allotment leases be filed with the county committee within a certain time (H. Rept. 1606). p. 11640

3. RULES COMMITTEE reported resolutions for consideration of H. R. 14929, the food-for-freedom bill; H. R. 14019, to authorize additional foreign public buildings; and H. R. 14025, to extend the Defense Production Act. p. 11640
4. PERSONNEL. The Post Office and Civil Service Committee reported with amendments S. 2393, to increase the number of positions authorized at GS-16, GS-17, and GS-18 (H. Rept. 1604). p. 11640
The Post Office and Civil Service Committee voted to report (but did not actually report) S. 1495, to permit variation of the 40-hour workweek of Federal employees for educational purposes. p. D485
5. PUBLIC DEBT. The Ways and Means Committee reported without amendment H. R. 15202, to provide for a temporary increase in the public debt limit (H. Rept. 1607). p. 11640
6. RECLAMATION. The conferees on S. 602, to broaden the scope of the Small Reclamation Projects Act, agreed to file a report on the bill. p. D486
7. DISASTER RELIEF. House conferees were appointed on H. R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of a natural disaster. p. 11550
8. LIBRARY SERVICES. Passed, 336-2, as reported H. R. 14050, to extend and amend the Library Services and Construction Act. pp. 11554-84
9. RECREATION. Rep. Tupper inserted an article, "The Great Joys of Camping." pp. 11597-8
10. VETERINARY CORPS. Reps. Arends and Price commended the work of the Army Veterinary Corps, including its work on food, on its 50th anniversary. pp. 11598-9, 11637-8
11. TRANSPORTATION. Rep. Younger inserted an article predicting that "containerization" will revolutionize the transportation industry. pp. 11599-60
12. FOREIGN TRADE. Rep. Reuss inserted a speech by Secretary of the Treasury Fowler, "The Year 1966: Year of Decision and of Opportunity for International Economic Cooperation." pp. 11627-31
13. LEGISLATIVE PROGRAM. Majority Leader Albert announced the program for next week: Mon., Consent Calendar and various bills on suspension of the rules, including statute of limitations, additional supergrades, and amendment of the Tort Claims Act; Tues., Private Calendar and legislative appropriation bill; Wed. and balance of week, debt-limit increase, defense-production extension, and food-for-freedom bill. Rep. Albert also said: "I would say...I think it is 99 percent at this time that when we adjourn on...Thursday, June 30, we will have a vacation to Monday, July 11." p. 11585
14. ADJOURNED until Mon., June 6. p. 11639

SENATE

15. FISHERIES. The Commerce Committee reported with amendments S. J. Res. 29, to direct the Bureau of Commercial Fisheries to conduct a survey of the marine

ADDITIONAL POSITIONS FOR CERTAIN DEPARTMENTS AND AGENCIES

JUNE 2, 1966.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HENDERSON, from the Committee on Post Office and Civil Service, submitted the following

R E P O R T

[To accompany S. 2393]

The Committee on Post Office and Civil Service, to whom was referred the bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

AMENDMENTS

The amendments are as follows:

- (1) Strike out all after the enacting clause and insert the part printed in italic.
- (2) Amend the title so as to read:

An Act to provide for additional positions in certain departments and agencies, and for other purposes.

EXPLANATION OF AMENDMENTS

The first amendment strikes out all of the text of S. 2393 after the enacting clause and inserts in lieu thereof a substitute text which is contained in the reported bill in italic type and which is explained in detail in the analysis of the bill.

The second amendment amends the title of S. 2393 so as to reflect more accurately the provisions of the text of the bill as reported to the House of Representatives.

PURPOSE

The purpose of S. 2393 is to provide for the establishment of certain management, administrative, scientific, and research and development positions in the three highest Federal career service grades and other comparable salary levels which are needed for the successful and efficient conduct of new programs and functions authorized by the Congress and other essential Government activities.

STATEMENT

CONGRESSIONAL POLICY

The Committee on Post Office and Civil Service, in recommending approval of S. 2393, reiterates and emphasizes the policy laid down by the Congress in the enactment of Public Law 87-367, approved October 4, 1961. That statement of policy has worked very well in the interests of the Government and the taxpayers, and is applicable with equal force and effect to the consideration of the committee bill, S. 2393, in this Congress. In order to stress the continued and renewed importance of that policy with respect to the positions authorized by S. 2393, the committee deems it appropriate that it be spelled out in full in this report. The statement of the policy, which is contained in section 101 of Public Law 87-367, is as follows:

“CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY
WITH RESPECT TO TOP GRADES OF CLASSIFICATION ACT OF
1949

“SEC. 101. (a) The Congress hereby finds that—

“(1) the public interest requires that effective limitations and controls be established and maintained with respect to the allocation of positions—whether by law or by administrative action—to grades 16, 17, and 18 of the Classification Act of 1949—the so-called top grades below the Federal executive level in the Government service—in order to prevent the unwarranted allocation of positions to such grades and to promote efficiency and economy in the operation of the Government;

“(2) one of the principal purposes of the Classification Act of 1949, as originally enacted and as amended from time to time, was, and continues to be, the establishment and maintenance, by specific provisions of such Act, of a coordinated and comprehensive authority and control over the allocation of positions to these top grades of such Act;

“(3) under the rules of the Senate and the rules of the House of Representatives, as applicable, and the Legislative Reorganization Act of 1946, the Committee on Post Office and Civil Service of the Senate and the Committee on Post Office and Civil Service of the House of Representatives are vested with exclusive legislative jurisdiction, and charged with the duty of exercising legislative oversight and supervision, with respect to all

matters within the purview of the Classification Act of 1949 and the administration thereof, including the allocation of positions to these top grades of such Act;

“(4) this legislative authority, duty, and jurisdiction of such committees, and the orderly and established legislative processes of the Congress generally in this respect, are being undermined by the increasing practice, resulting from certain solicitations from individual departments and agencies in the executive branch and elsewhere, of allocating additional numbers of positions to such top grades by means of appropriation Acts and other laws and reorganization plans (other than the Classification Act of 1949) which disregard the numerical limitations or the standards and procedures, or both, with respect to the allocation of positions to such grades;

“(5) at the present time, therefore, the pertinent provisions of the Classification Act of 1949 do not reflect, even by approximation, the existing state of the law with respect to the total number of positions which may be allocated to the top grades of such Act; and

“(6) this state of affairs subverts and undermines the object and purpose of the Classification Act of 1949 with respect to the allocation of positions to such top grades of such Act.

“(b) It is, therefore, hereby declared to be the sense of the Congress—

“(1) that the matter of requesting the allocation of additional numbers of positions to the top grades of the Classification Act of 1949, whether by groups of positions or on an individual basis, is properly within the jurisdiction of those standing committees of the Senate and House of Representatives having jurisdiction over the Classification Act of 1949 in accordance with orderly and established legislative processes—the Committee on Post Office and Civil Service of the Senate and the Committee on Post Office and Civil Service of the House of Representatives;

“(2) that the Director of the Bureau of the Budget, the United States Civil Service Commission, and other authority designated by the President exercise to the fullest extent the authority and responsibility of disapproving requests of the departments and agencies in the executive branch for individual exceptions (to be attained through the enactment of laws outside the jurisdiction of the committees above referred to) from the numerical limitations or the standards and procedures, or both, imposed by the Classification Act of 1949 with respect to the allocation of positions to the top grades of such Act; and

“(3) that, if need should develop for increasing such numerical limitations or waiving such standards or procedures, or both, in any case or cases, the matter should be presented promptly to the Congress in a manner consistent with the legislative authority, duty,

responsibility, and jurisdiction of the respective Committees on Post Office and Civil Service of the Senate and House of Representatives."

S. 2393 will further implement and maintain in effective practice the foregoing declaration of congressional policy. It is to be noted that, prior to the enactment of that policy in Public Law 87-367, bills coming before the House of Representatives from various other committees with considerable regularity included provisions giving special preference to selected departments, agencies, bureaus, and even individual employees for positions in salary levels GS-16, GS-17, or GS-18. Although, when those salary levels were created by the Classification Act of 1949, the act placed them in the career civil service merit system, subject to standards and determinations by the Civil Service Commission—and also in the exclusive jurisdiction of the Committees on Post Office and Civil Service of the Senate and House of Representatives—the result of such legislative proposals from other committees was the lack of any effective control of the numbers and the use of these top career civil service positions.

The declaration of congressional policy enacted in Public Law 87-367 immediately corrected the obvious deficiencies, and has resulted in strong but reasonable control, by the central personnel agency of the executive branch—the U.S. Civil Service Commission—and by the Congress, through its Post Office and Civil Service Committees, which have the responsibility for legislative oversight in this important field.

This committee is convinced that the present system of centrally controlling these top-level civilian career positions, instituted in accordance with the declaration of congressional policy, is the best and most effective system that has yet been devised for the purpose. Certainly, it is far preferable to the almost complete lack of control that existed earlier, and to any other procedure that has been proposed. In this connection, it is noteworthy that the positions authorized by Public Law 87-367 were expected at the time to meet the needs of the departments and agencies for as much as a 3-year period. S. 2393 represents the first general request for additional positions in nearly 5 years, since the approval of Public Law 87-367 on October 4, 1961.

DEVELOPMENT OF S. 2393; POSITIONS AUTHORIZED

This legislation was developed by the standing Subcommittee on Manpower of this committee, and is unanimously reported from that subcommittee and this committee. The bill is based on an official administration recommendation and the committee is aware of no opposition to its provisions.

S. 2393, as passed by the Senate on September 1, 1965, was of a temporary or stopgap nature, providing for 100 additional positions in grades GS-16, GS-17, and GS-18 of the general schedule of the Classification Act of 1949, as amended, to be allocated by the President for newly created programs. The bill was referred to the Subcommittee on Manpower in accordance with the rules of the Committee on Post Office and Civil Services, for consideration in the light of the subcommittee's continuing exercise of the legislative

oversight responsibility with respect to the use of Federal civilian manpower. The subcommittee, on the basis of information and evidence developed in its program, decided that review and consideration of the total needs of all departments and agencies was in the best interests of the Government. Accordingly, action on the bill was put over to the present session of the 89th Congress and, in the intervening period, the subcommittee thoroughly investigated the needs and requirements for additional high-level career positions throughout the Government.

The subcommittee conducted public hearings relative to the requests and the needs of the departments and agencies for positions in salary grades GS-16, GS-17, and GS-18, under the Classification Act of 1949, and other positions at comparable salary levels. The Chairman of the U.S. Civil Service Commission represented the executive branch at the hearings, and the Acting Comptroller General of the United States and the Librarian of Congress testified as to the requirements of the agencies they head in the legislative branch.

S. 2393, as reported from committee—

Authorizes 300 additional positions in grades GS-16, GS-17, and GS-18 of the general schedule of the Classification Act of 1949, as amended, for allocation among departments and agencies in the executive branch in accordance with procedures established and administered by the U.S. Civil Service Commission to carry out the congressional policy laid down in Public Law 87-367.

Authorizes the Librarian of Congress to place a total of 35 positions in the Library of Congress in such grades GS-16, GS-17, and GS-18—an increase of 13 over the present number of such positions authorized for the Library.

Increases from 39 to 70 the number of positions in such grades GS-16, GS-17, and GS-18 in the General Accounting Office.

Increases from 75 to 125 the number of such positions in grades GS-16, GS-17, and GS-18 in the Federal Bureau of Investigation, U.S. Department of Justice.

Increases from 65 to 75 the number of such positions, and from 60 to 90 the number of positions involving research and development functions (which require the services of specially qualified scientific or professional personnel), in the National Security Agency. Salary rates for the 90 positions may not exceed the rate for grade GS-18 under the Classification Act of 1949.

In summary, the bill authorizes the establishment of a total of 456 additional positions within the range of salary rates prescribed by law for grades GS-16, GS-17, and GS-18 under the Classification Act of 1949. With respect to the 300 positions to be administered by the Civil Services Commission, no such position may be established in a department or agency except in accordance with regular civil service procedures and upon prior approval of a majority of the Civil Service Commissioners, to insure that the positions meet the appropriate standards promulgated by the Commission as required by the act, and no person may be appointed to any such position, once established, without prior approval by a majority of the Civil Service Commissioners of the person's qualifications to perform the duties and responsibilities of the position. These regular Civil Service Commission procedures apply also to the establishment of the positions in the Library of Congress and in the General Accounting Office and to the qualifications of proposed appointees thereto.

SUBLIMITATIONS ON GRADES GS-17 AND GS-18 OMITTED

S. 2393 also eliminates the existing sublimitations on the numbers of positions which may be placed in grades GS-17 and GS-18. H.R. 7377, which became Public Law 87-367, was approved by the committee and passed by the House without any such limitations. The limitations were placed in the bill in the other body and agreed to by the committee of conference on the bill. The Committee on Post Office and Civil Service believes that the sublimitations are an unnecessary and undesirable restriction on the administration of these positions in the best interests of the Government, and that the degree of flexibility always intended by the House is needed. Accordingly, the reported bill strikes out the sublimitations.

POSTAL FIELD SERVICE POSITIONS

S. 2393 makes one other very desirable change. It amends section 3301 of title 39, United States Code, by removing level 18 of the postal field service salary schedule from a numerical limitation. At present there is a limitation of 70 on the total number of positions in PFS salary levels 18, 19, and 20. Postal field service level 18, the committee feels, is properly comparable to grade GS-15 of the classified service, which is not a supergrade and, therefore, is not restricted as to numbers. Removal of this unrealistic limitation will accord management in the Post Office Department additional personnel flexibility looking toward better long-range planning, success in modernizing facilities and procedures, and especially operational improvements. Postal field service positions in levels 19 and 20 will continue to be under the ceiling limitation of 70.

Cost

Chairman John W. Macy, Jr., of the U.S. Civil Service Commission, testified that, on experience, the average of the costs of additional positions authorized by S. 2393 would be approximately \$2,000 per annum for each position. As in the past, some of the new positions would be filled by recruitment of qualified personnel from outside the Government and others would be filled by promotion of qualified personnel from within the service. Since 456 additional positions are authorized, the estimated annual cost of the enactment of this legislation is \$912,000.

ADMINISTRATIVE VIEWS

In the light of the demonstrated urgent need for prompt action on S. 2393, Chairman John W. Macy, Jr., U.S. Civil Service Commission, representing the administration; Dr. L. Quincy Mumford, Librarian of Congress, for the Library of Congress; and Acting Comptroller General of the United States Frank H. Weitzel, representing the General Accounting Office, were asked to present direct personal testimony in behalf of the departments and agencies concerned, in lieu of submitting the customary formal written reports on the bill. Chairman Macy, speaking for the administration, testified in support of the legislation, which he stated has the approval of the Bureau of the Budget, as did Mr. Mumford and Mr. Weitzel for their agencies.

ANALYSIS OF THE REPORTED BILL

AMENDMENTS WITH RESPECT TO POSITIONS UNDER THE CLASSIFICATION
ACT OF 1949

Subsection (a) of the bill amends section 505(b) of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), which vests in the U.S. Civil Service Commission the authority to establish and revise the maximum number of positions—not in excess of 2,400—which may be placed in grades 16, 17, and 18 of the general schedule of such act at any one time. Subsection (a) makes two important changes in section 505(b).

First, subsection (a) increases, from 2,400 to 2,700, the maximum number of positions which the Commission may authorize to be placed in grades 16, 17, and 18, in recognition of the fact that the creation of new agencies and the creation or expansion of functions during the past year have established an urgent need for additional positions in such grades filled by personnel of the highest caliber and ability.

Second, subsection (a) eliminates certain provisions of section 505(b) which are either executed and, therefore, obsolete or have had the effect of impairing, hampering, and restricting the full and complete exercise by the Commission, under section 505 of the Classification Act of 1949, of the authority under such section, with respect to the placement of positions in grades 16, 17, and 18, which this committee most emphatically intends the Commission to exercise to the fullest extent.

These eliminated provisions are to the following effect:

(1) Section 505(b)(1) now provides that not to exceed 25 percent of the aggregate number of positions which may be placed in grades 16, 17, and 18 may be placed in grade 17 and not to exceed 12 percent of such aggregate number may be placed in grade 18.

This provision is eliminated as an unnecessary and hampering restriction on the efficient exercise by the Commission of its authority under section 505 of the Classification Act of 1949, because the Commission, in cases involving positions under section 505(b) of such act, must determine that each position concerned is of that level of duties and responsibilities which, in accordance with the classification standards prescribed by the Commission, warrants the placement of such position in grade 16, 17, or 18 of the general schedule and because, with certain exceptions provided by law, the Commission must approve the qualifications of the proposed appointee.

(2) Section 505(b)(2) now provides that 50 of the aggregate number of positions which may be placed in grades 16, 17, and 18 shall be available only for allocation, with approval of the President, for agencies or functions created after October 4, 1961—the date of enactment of such provision.

Such provision has been executed and is, therefore, eliminated as obsolete.

(3) Sections 505(b) (3), (4), and (5) now provide that, of the aggregate number of positions which may be placed in grades 16, 17, and 18—

(A) Fourteen of such positions shall be available only for allocation to the U.S. Arms Control and Disarmament Agency;

(B) Six of such positions shall be available only for allocation to the Immigration and Naturalization Service, U.S. Department of Justice; and

(C) Four of such positions shall be available only for allocation to the Federal Home Loan Bank Board.

In eliminating these provisions, the committee emphasizes that it is not intended to remove these top grade positions from the agencies concerned and the committee does not anticipate, expect, or approve any such action. It is intended by the committee, however, that the U.S. Civil Service Commission shall exercise full and centralized authority over the allocations of positions to grades 16, 17, and 18 and that all of the agencies concerned with receiving top grade position allocations from the positions provided under section 505(b) shall have equal access to these positions, except as otherwise may be provided by law.

Subsection (b) of the bill amends section 505(c) of the Classification Act of 1949 in order to provide that the Librarian of Congress may place a total of 35 positions in the Library of Congress in grades 16, 17, and 18 of the general schedule of such act. These positions are in addition to the number authorized by section 505(b). However, the appointments to these positions are subject to the procedures of section 505 generally. The U.S. Civil Service Commission must approve the qualifications of the proposed appointees.

Subsection (c) of the bill amends section 505(d) of the Classification Act of 1949, relating to additional positions for the General Accounting Office in grades 16, 17, and 18 of the general schedule of such act. At present, the General Accounting Office is granted 39 such positions by law. Subsection (c) increases this number of such positions to 70. All appointments to these positions are subject to the procedures of section 505 generally. The U.S. Civil Service Commission must approve the qualifications of the proposed appointees.

Subsection (d) of the bill amends section 505(e) of the Classification Act of 1949, relating to additional positions for the Federal Bureau of Investigation, U.S. Department of Justice, in grades 16, 17, and 18 of the general schedule of such act. Section 505(e) now authorizes the Director of the Federal Bureau of Investigation to place a total of 75 positions in the Bureau in grades 16, 17, and 18 of the general schedule. This authority is without regard to any procedures or other provisions of section 505. Subsection (d) increases this existing number of positions to 125.

POSITIONS IN THE NATIONAL SECURITY AGENCY

Subsection (e) of the bill amends the act of May 29, 1959 (50 U.S.C. 402, note), relating to positions in the National Security Agency.

Section 2 of such act now provides that not more than 65 civilian officers and employees in the National Security Agency shall be paid basic compensation at rates equal to rates of basic compensation contained in grades 16, 17, and 18 of the general schedule of the Classification Act of 1949. Subsection (e)(1) of the bill increases the number of such officers and employees paid at such rates from 65 to 75.

Section 4 of the act of May 29, 1959, now provides that the Secretary of Defense or his designee is authorized to establish not more than 60 civilian positions involving research and development func-

tions in the National Security Agency at rates of basic compensation not in excess of the maximum rate of compensation authorized by section 1581(b) of title 10, United States Code; that is, the highest rate of grade 18 of the general schedule of the Classification Act of 1949, as amended. Subsection (e)(2) of the bill increases the number of such research and development positions from 60 to 90.

POSITIONS IN THE POSTAL FIELD SERVICE

Subsection (f) of the bill amends section 3301 of title 39, United State Code, relating to personnel requirements of the postal field service.

Section 3301 now provides that the Postmaster General shall determine the personnel requirements of the postal field service and fix the number of supervisors and other employees in the postal field service. Section 3301 further provides that there may not be at any one time more than 1 assistant postmaster employed at any post office or more than a total of 70 employees assigned to salary levels 18, 19, and 20 of the postal field service schedule.

Subsection (f) of the bill provides more flexibility in the application of this limitation of 70 employees by making such limitation applicable to 2 salary levels—levels 19 and 20—rather than to 3 salary levels—levels 18, 19, and 20—as is now the case.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 505 OF THE CLASSIFICATION ACT OF 1949, AS AMENDED (5 U.S.C. 1105)

* * * * *

[(b) Subject to subsections (c), (d), (e), (f), (g), and (j) of this section, a majority of the Civil Service Commissioners are authorized to establish and, from time to time, revise the maximum numbers of positions (not to exceed an aggregate of twenty-four hundred in addition to (i) any professional engineering positions primarily concerned with research and development and professional positions in the physical and natural sciences and medicine which may be placed in such grades, and (ii) two hundred and forty examiner positions under section 11 of the Administrative Procedure Act (60 Stat. 244; 5 U.S.C. 1010) which may be placed in grade 16 and nine such positions which may be placed in grade 17) which may be in grades 16, 17, and 18 of the General Schedule at any one time, except that under such authority—

[(1) not to exceed 25 per centum of such aggregate number may be placed in grade 17 and not to exceed 12 per centum of such aggregate number may be placed in grade 18;

[(2) fifty of such positions shall be available only for allocation, with the approval of the President, for agencies or functions created after the date of enactment of this subparagraph;

[(3) fourteen of such positions shall be available only for allocation to the United States Arms Control and Disarmament Agency;

[(4) six of such positions shall be available only for allocation to the Immigration and Naturalization Service of the Department of Justice; and

[(5) four of such positions shall be available only for allocation to the Federal Home Loan Bank Board.]

(b) *Subject to subsections (c), (d), (e), (f), (g), (j), (k), and (l) of this section, a majority of the Civil Service Commissioners are authorized to establish and, from time to time, revise the maximum number of positions, not to exceed an aggregate of twenty-seven hundred positions, which may be placed in grades 16, 17, and 18 of the General Schedule at any one time. Such number of positions shall be in addition to—*

(1) *any professional engineering positions primarily concerned with research and development and professional positions in the physical and natural sciences and medicine which may be placed in such grades, and*

(2) *two hundred and forty examiner positions under section 11 of the Administrative Procedure Act (5 U.S.C. 1010) which may be placed in grade 16 of the General Schedule and nine such positions which may be placed in grade 17 of the General Schedule.*

(c)(1) The number of positions of senior specialists in the Legislative Reference Service of the Library of Congress allocated to grades 16, 17, and 18 of the General Schedule by reason of the proviso contained in section 203(b)(1) of the Legislative Reorganization Act of 1946 (60 Stat. 836; 2 U.S.C., sec. 166(b)(1)) shall be in addition to the number of positions authorized to be placed in such grades by subsection (b).

(2) *The Librarian of Congress is authorized, subject to the procedures prescribed by this section, to place a total of thirty-five positions in the Library of Congress in grades 16, 17, and 18 of the General Schedule. Such positions shall be in addition to the number of positions otherwise authorized by law to be placed in such grades.*

(d) The Comptroller General of the United States is authorized, subject to the procedures prescribed by this section, to place a total of [thirty-nine] *seventy* positions in the General Accounting Office in grades 16, 17, and 18 of the General Schedule. Such positions shall be in addition to the number of positions authorized to be placed in such grades by subsection (b).

(e) The Director of the Federal Bureau of Investigation, United States Department of Justice, is authorized, without regard to any other provision in this section, to place a total of [seventy-five] *one hundred and twenty-five* positions in the Federal Bureau of Investigation in grades 16, 17, and 18 of the General Schedule. Such positions shall be in addition to the number of positions authorized to be placed in such grades by subsection (b).

SECTIONS 2 AND 4 OF THE ACT ENTITLED "AN ACT TO PROVIDE CERTAIN ADMINISTRATIVE AUTHORITIES FOR THE NATIONAL SECURITY AGENCY, AND FOR OTHER PURPOSES," APPROVED MAY 29, 1959 (50 U.S.C. 402, NOTE)

SEC. 2. The Secretary of Defense (or his designee for the purpose) is authorized to establish such positions, and to appoint thereto, without regard to the civil service laws, such officers and employees, in the National Security Agency, as may be necessary to carry out the functions of such agency. The rates of basic compensation for such positions shall be fixed by the Secretary of Defense (or his designee for the purpose) in relation to the rates of basic compensation contained in the General Schedule of the Classification Act of 1949, as amended, for positions subject to such Act which have corresponding levels of duties and responsibilities. Except as provided in subsections (f) and (g) of section 303 of the Federal Executive Salary Act of 1964, no officer or employee of the National Security Agency shall be paid basic compensation at a rate in excess of the highest rate of basic compensation contained in such General Schedule. Not more than **[sixty-five]** *seventy-five* such officers and employees shall be paid basic compensation at rates equal to rates of basic compensation contained in grades 16, 17, and 18 of such General Schedule.

* * * * *

SEC. 4. The Secretary of Defense (or his designee for the purpose) is authorized to establish in the National Security Agency not more than **[sixty]** *ninety* civilian positions involving research and development functions, which require the services of specially qualified scientific or professional personnel, and fix the rates of basic compensation for such positions at rates not in excess of the maximum rate of compensation authorized by section 1581(b) of title 10, United States Code.

SECTION 3301 OF TITLE 39, UNITED STATES CODE

§ 3301. Personnel requirements

The Postmaster General shall determine the personnel requirements of the postal field service, and fix the number of supervisors and other employees in that service, except that there may not be at any one time more than one assistant postmaster employed at any post office or a total of 70 employees assigned to salary levels **[18, 19, and 20]** *19 and 20* in the postal field service.



Union Calendar No. 712

89TH CONGRESS
2^D SESSION

S. 2393

[Report No. 1064]

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 3, 1965

Referred to the Committee on Post Office and Civil Service

JUNE 2, 1966

Reported with amendments, committed to the Committee of the Whole House
on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To authorize additional GS-16, GS-17, and GS-18 positions for
use in agencies or functions created or substantially ex-
panded after June 30, 1965.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection ~~(b)~~ of section 505 of the Classification Act
4 of 1949, as amended ~~(5 U.S.C. 1105(b))~~, relating to the
5 maximum number of positions authorized at any one time
6 for grades 16, 17, and 18 of the General Schedule of such
7 Act and the authority of the President to approve a limited

1 number of such positions for new agencies and functions, is
 2 amended by striking out “twenty-four hundred” and insert-
 3 ing in lieu thereof “twenty-five hundred”, and by adding
 4 after “subparagraph” in paragraph (2) a comma and the
 5 following: “and one hundred of such positions shall be avail-
 6 able only for allocation, with the approval of the President,
 7 for agencies or functions created or substantially expanded
 8 after June 30, 1965”.

9 That (a) section 505(b) of the Classification Act of 1949,
 10 as amended (5 U.S.C. 1105(b)), is amended to read as
 11 follows:

12 “(b) Subject to subsections (c), (d), (e), (f), (g),
 13 (j), (k), and (l) of this section, a majority of the Civil
 14 Service Commissioners are authorized to establish and, from
 15 time to time, revise the maximum number of positions, not
 16 to exceed an aggregate of twenty-seven hundred positions,
 17 which may be placed in grades 16, 17, and 18 of the General
 18 Schedule at any one time. Such number of positions shall
 19 be in addition to—

20 “(1) any professional engineering positions pri-
 21 marily concerned with research and development and
 22 professional positions in the physical and natural sci-
 23 ences and medicine which may be placed in such grades,
 24 and

25 “(2) two hundred and forty examiner positions

under section 11 of the Administrative Procedure Act (5 U.S.C. 1010) which may be placed in grade 16 of the General Schedule and nine such positions which may be placed in grade 17 of the General Schedule.”.

(b) Section 505(c) of such Act, as amended (5 U.S.C. 1105(c)), is amended—

(1) by inserting “(1)” immediately following “(c)”; and

(2) by adding at the end thereof the following paragraph:

“(2) The Librarian of Congress is authorized, subject to the procedures prescribed by this section, to place a total of thirty-five positions in the Library of Congress in grades 16, 17, and 18 of the General Schedule. Such positions shall be in addition to the number of positions otherwise authorized by law to be placed in such grades.”.

(c) Section 505(d) of such Act, as amended (5 U.S.C. 1105(d)), relating to additional positions for the General Accounting Office in grades 16, 17, and 18 of the General Schedule, is amended by striking out “thirty-nine positions” and inserting in lieu thereof “seventy positions”.

(d) Section 505(e) of such Act, as amended (5 U.S.C. 1105(d)), relating to additional positions for the Federal Bureau of Investigation, United States Department of Justice, in grades 16, 17, and 18 of the General Schedule, is

1 amended by striking out “seventy-five positions” and insert-
2 ing in lieu thereof “one hundred and twenty-five positions”.

3 (e) The Act entitled “An Act to provide certain ad-
4 ministrative authorities for the National Security Agency,
5 and for other purposes”, approved May 29, 1959 (50 U.S.C.
6 402, note), as amended, is amended—

7 (1) by striking out, in section 2 thereof, “sixty-five
8 such officers and employees” and inserting in lieu thereof
9 “seventy-five such officers and employees”; and

10 (2) by striking out, in section 4 thereof, “sixty
11 civilian positions” and inserting in lieu thereof “ninety
12 civilian positions”.

13 (f) Section 3301 of title 39, United States Code, re-
14 lating to personnel requirements of the postal field service, is
15 amended by striking out “salary levels 18, 19, and 20” and
16 inserting in lieu thereof “salary levels 19 and 20”.

Amend the title so as to read: “An Act to provide for
additional positions in certain departments and agencies, and
for other purposes”.

Passed the Senate September 1, 1965.

Attest:

FELTON M. JOHNSTON,

Secretary.

89TH CONGRESS
2d Session

S. 2393

[Report No. 1604]

AN ACT

To authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965.

SEPTEMBER 3, 1965

Referred to the Committee on Post Office and Civil Service

JUNE 2, 1966

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued June 7, 1966
For actions of June 6, 1966
89th-2nd; No. 92

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HIGHLIGHTS: House passed bills for: Screw-worm eradication. Extension of time to file tobacco-allotment leases. Expeditious issuance of wheat certificates. Additional supergrade positions. Conferees announced agreement on bill to permit alternate crops in case of disaster. Sen. Ellender introduced and discussed child nutrition bill.

HOUSE

1. DISASTER RELIEF. The conferees agreed to file a report on H. R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of natural disaster. The conferees agreed to omit the Senate limitation of \$10,000 on individual payments. pp. D492-3
2. SCREW-WORM ERADICATION. Passed as reported H. R. 14888, to authorize this Department to cooperate in screw-worm eradication in Mexico. pp. 11647, 11667-8

3. TOBACCO ALLOTMENTS. Passed as reported H. R. 15124, to provide that any lease or transfer of a tobacco allotment shall be effective, notwithstanding failure to file a copy with the county committee prior to the closing date, if compliance was agreed to prior to the closing date and the terms of the lease are filed with the county office not later than July 31 of any year. p. 11649
4. WHEAT CERTIFICATES. Passed without amendment H. R. 15089, to permit the Secretary of Agriculture to estimate the July 1966 parity price for wheat in order to expedite the issuance of wheat marketing certificates to complying wheat farmers. Under present law the certificates may not be issued until the exact July parity price is determined. p. 11649
5. EDUCATION. Passed, 194-89, under suspension of the rules, H. R. 14643, to authorize HEW to make grants to establish centers for advanced international studies and to strengthen undergraduate programs in international studies. pp. 11650-67
6. CLAIMS. Passed under suspension of the rules H. R. 13650, to increase to \$25,000 the amount of a claim which Government agencies may settle under the Federal Tort Claims Act. pp. 11668-70
Passed under suspension of the rules H. R. 13651, to authorize Government agencies to compromise claims up to \$5,000 under joint regulations of the Attorney General and the Comptroller General. pp. 11670-1
Passed under suspension of the rules H. R. 13652, to establish a statute of limitations for certain actions brought by the Government. pp. 11671-2
Passed under ssuspension of the rules H. R. 14182, to provide that when the Government loses a lawsuit, a judgment for cost may be awarded the prevailing party. p. 11672
7. RECLAMATION. Passed under suspension of the rules H. R. 14312, to increase the authorization for appropriations to continue the work of the Bureau of Reclamation in the Missouri River Basin. pp. 11682-3
8. SUPERGRADES. Passed under suspension of the rules S. 2393, to authorize additional supergrade positions. As amended in the House, the bill provides for 300 additional positions to be distributed by the Civil Service Commission, in addition to 156 non-USDA positions which are allocated to specific departments and agencies by the bill. The bill also removes the limitation on the number of supergrade jobs which may be allocated at GS-17 or GS-18. pp. 11683-6
9. TRANSPORTATION. Rep. Younger inserted an address favoring establishment of a Department of Transportation. pp. 11700-4
10. FOREIGN AID. Rep. Pepper recommended against continuing the furnishing of food to Egypt. pp. 11727-8
11. LEGISLATIVE APPROPRIATION BILL. The Appropriations Committee reported this bill, H. R. 15456 (H. Rept. 1608) on June 3 during adjournment. p. 11730
12. LEGISLATIVE PROGRAM. Today the House is to consider the Private Calendar and the legislative appropriation bill. pp. D491-2

creased the funds authorized to be appropriated for carrying out the comprehensive plan of development of the Missouri River Basin project.

This legislation is a similar step and increases the funds authorized to be appropriated to a total of \$1,006 million through fiscal 1968. The legislation also provides that if H.R. 14312 is enacted, no part of the funds authorized to be appropriated shall be available to initiate construction of any unit of the Missouri River Basin project, whether included in the comprehensive plan or not, which has not been authorized since August 14, 1964, or is not hereafter authorized by an act of Congress. This is in keeping with the committee's approach which requires separate authorization before initiation of construction of additional units.

Mr. Speaker, the act of August 14, 1964, the last act of Congress authorizing Missouri River Basin project authorizations, confines the appropriations to fiscal years 1965 and 1966. The present authorization will expire on June 30, 1966. If the Department of the Interior is to continue its studies and construction for the development of the Missouri River Basin comprehensive plan, after June 30, 1966, it is necessary that this body suspend the rules and pass H.R. 14312.

The SPEAKER. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 14312, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ADDITIONAL POSITIONS FOR CERTAIN DEPARTMENTS AND AGENCIES

Mr. HENDERSON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965, with the committee amendment printed in the bill.

The Clerk read as follows:

S. 2393

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 505(b) of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), is amended to read as follows:

"(b) Subject to subsections (c), (d), (e), (f), (g), (j), (k), and (l) of this section, a majority of the Civil Service Commissioners are authorized to establish and, from time to time, revise the maximum number of positions, not to exceed an aggregate of twenty-seven hundred positions which may be placed in grades 16, 17, and 18 of the General Schedule at any one time. Such number of positions shall be in addition to—

"(1) any professional engineering positions primarily concerned with research and development and professional positions in the physical and natural sciences and medicine which may be placed in such grades, and

"(2) two hundred and forty examiner positions under section 11 of the Administrative Procedure Act (5 U.S.C. 1010) which may be placed in grade 16 of the General Schedule and nine such positions which may be placed in grade 17 of the General Schedule."

(b) Section 505(c) of such Act, as amended (5 U.S.C. 1105(c)), is amended—

(1) by inserting "(1)" immediately following "(c)"; and

(2) by adding at the end thereof the following paragraph:

"(2) The Librarian of Congress is authorized, subject to the procedures prescribed by this section, to place a total of thirty-five positions in the Library of Congress in grades 16, 17, and 18 of the General Schedule. Such positions shall be in addition to the number of positions otherwise authorized by law to be placed in such grades."

(c) Section 505(d) of such Act, as amended (5 U.S.C. 1105(d)), relating to additional positions for the General Accounting Office in grades 16, 17, and 18 of the General Schedule, is amended by striking out "thirty-nine positions" and inserting in lieu thereof "seventy positions".

(d) Section 505(e) of such Act, as amended (5 U.S.C. 1105(e)), relating to additional positions for the Federal Bureau of Investigation, United States Department of Justice, in grades 16, 17, and 18 of the General Schedule, is amended by striking out "seventy-five positions" and inserting in lieu thereof "one hundred and twenty-five positions".

(e) The Act entitled "An Act to provide certain administrative authorities for the National Security Agency, and for other purposes", approved May 29, 1959 (50 U.S.C. 402, note), as amended, is amended—

(1) by striking out, in section 2 thereof, "sixty-five such officers and employees" and inserting in lieu thereof "seventy-five such officers and employees"; and

(2) by striking out, in section 4 thereof, "sixty civilian positions" and inserting in lieu thereof "ninety civilian positions".

(f) Section 3301 of title 39, United States Code, relating to personnel requirements of the postal field service, is amended by striking out "salary levels 18, 19, and 20" and inserting in lieu thereof "salary levels 19 and 20".

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HENDERSON. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HENDERSON asked and was given permission to revise and extend his remarks.)

GENERAL LEAVE TO EXTEND

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HENDERSON. Mr. Speaker, the Post Office and Civil Service Committee, on June 2, unanimously reported out S. 2393, as amended, to provide top level jobs for the departments and agencies of the Federal Government. This bill, which was approved by the Senate on September 1, 1965, was referred to the

Committee on Post Office and Civil Service last September. The bill, as passed by the Senate, provided for 100 additional supergrades to be allotted by the President for new programs. The bill, in my opinion, was at that time a temporary measure of a stopgap nature. Due to a lack of time, since the first session of the Congress was nearing adjournment, it was decided to hold hearings during this session with the purpose of reviewing the total needs of all the Federal Government for top level jobs, that is, positions in the salary grades GS-16, GS-17, and GS-18, under the Classification Act. May I also indicate that this procedure was acceptable to the administration.

Earlier this year the Subcommittee on Manpower, of which I have the honor to be chairman, held public hearings relative to the needs of the departments and agencies for supergrades. The Chairman of the Civil Service Commission appeared in behalf of the executive branch. The Comptroller General and the Librarian of the Congress appeared in their own behalf for the General Accounting Office and the Library of Congress.

Since 1961, the Committee on Post Office and Civil Service has had a procedure for controlling supergrades. The Congress, by approving H.R. 7377 in 1961, placed the control of supergrades in the hands of the Commissioners of the U.S. Civil Service Commission. By a majority vote, the Commissioners approve the pay grade level of proposed supergrade positions. They also assign priorities for the filling of these positions and approve the qualifications of the nominees for the supergrade positions.

Prior to 1961 almost weekly legislation was coming up to the floor of the House from various committees with provisions for additional supergrades—especially created and with little or no control by the Civil Service Commission, or the Post Office and Civil Service Committee, charged by the House with this responsibility. We have not found any method for controlling top level positions superior to the present procedure.

The bill we have before us today, S. 2393, as amended, continues this control. The U.S. Civil Service Commissioners will be provided 300 additional supergrades for use in the departments and agencies of the executive branch. The Comptroller General of the General Accounting Office and the Librarian of the Congress are to receive an additional number of supergrades but the Civil Service Commissioners will continue to evaluate the proposed top level positions and the qualifications of the nominees in both GAO and the Library of Congress.

S. 2393, as amended, represents the administration's requirements and is sponsored by the administration.

We have today in the Federal Government 4,449 positions in pay grades GS-16, 17, and 18. In addition, there are 1,306 engineering and scientific positions as provided by Public Law 313. This

makes a total of 5,755 positions in the supergrade category.

This is the first legislation since 1961, providing for additional supergrades. Our review of operations throughout the Federal Government indicates in general the following reasons for additional top level positions at this time. They are as follows:

First. New and expanded functions in the Federal Government such as medicare and drug control in the Department of HEW and water resources in the Department of Interior;

Second. Effects from an increasing population and changes in our economy, as reflected in the overall operations in the Post Office Department and the Department of Commerce;

Third. Reorganizations, as for example the Department of Housing and Urban Development, and the Bureau of Customs in the Treasury Department, and;

Fourth. Manpower changes in the Department of Defense.

S. 2393, as amended, does the following things:

First. Authorizes an additional 300 supergrades for the executive departments and agencies, to be administered by the majority of the Civil Service Commissioners;

Second. Allocates 35 supergrades to the Librarian of Congress, which represents an increase of 13 supergrades for the Library;

Third. Increases by 31 the number of supergrades for the General Accounting Office;

Fourth. Increases by 50 the number of supergrades for the Federal Bureau of Investigation, Department of Justice;

Fifth. Increases by 40 the number of supergrade level positions for the National Security Agency, this includes 10 supergrades and 30 positions for scientific and engineering research.

This makes a total of 456 additional positions in the supergrade level and we expect this number to be sufficient, barring some unforeseen problems, for at least two to three years. However, the Chairman of the Civil Service Commission, Hon. John Macy, was advised by the committee that if and when problem areas do arise to report back to the committee.

Mr. Speaker, the bill before us today also does two other things. S. 2393 eliminates the sublimitation of jobs in grades GS-17 and GS-18. For several years the Defense Department has operated without the so-called sublimitation. In fact, the Post Office and Civil Service Committee voted out a supergrade bill in 1961, H.R. 7377, which removed this limitation and it passed the House. The Senate restored the sublimitation. The committee believes the degree of flexibility always intended by the House is needed. Therefore, S. 2393 provides for this flexibility.

S. 2393 amends section 3301 of title 39, United States Code, by removing level 18 of the Postal Field Service salary schedule from a numerical limitation. At present, there is a limit of 70 on the number of Postal Field Service positions in grades PFS-18, 19, and 20. Postal Field

Service grade 18, I feel, is properly comparable to grade GS-15 of the classified service, which is not a supergrade and, therefore, is not restricted as to numbers. It is my opinion that by removing this limitation top management in the Post Office Department will have additional personnel flexibility to provide for better long-range planning, modernization and operational improvements. Postal Field Service jobs in grades 19 and 20 will continue to be under the ceiling limitation.

Mr. Speaker, as chairman of the subcommittee which developed S. 2393, as amended, I strongly support and urge its approval by the House.

Mr. GROSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 2393, as amended.

The bill before us today creates some 456 additional supergrade positions for the Federal Government. Undoubtedly many of these positions are needed now in such areas as accelerated work load in General Accounting Office, Federal Bureau of Investigation, and the military services. However, I feel that the number in this bill is quite adequate and trust that the administration will not be back to the committee in the near future for an additional number.

In 1961, and now again today, I supported legislation creating additional supergrades because I feel that our present procedure for controlling these top level positions is far better than the haphazard approach prior to 1961. At least under the present procedure, which this bill continues, the departments and agencies of the Government are required to go to the Civil Service Commission for these positions. Not only is a majority vote of the Civil Service Commissioners required to approve the grade level of proposed supergrade positions, but also the Commissioners have a priority system for allocating these jobs among the departments and agencies. The Commissioners must also approve the qualifications of the nominees for these top positions. I am also happy to note that the staff of our committee works very closely with officials in the U.S. Civil Service Commission regarding this important manpower problem.

Mr. Speaker, I feel that the House in approving these supergrades today must emphasize to the departments and agencies that this is not a license for continued inflation in the grade structure of the Classification Act. The creation of additional GS-16 spaces must not be assumed to be the green light for promoting existing GS-15 employees. I am confident Chairman Macy and his staff share this feeling. I, for one, will expect the departments and agencies to exercise caution in the creation of new jobs and hope that our able chairman of the Manpower Subcommittee, the gentleman from North Carolina, Hon. DAVID N. HENDERSON, will continue to review the utilization of these supergrades in the departments and agencies.

Mr. Speaker, I believe that the House should today approve S. 2393.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Speaker, I wish to join the chairman of the subcommittee [Mr. HENDERSON], and the minority leader of the subcommittee [Mr. GROSS], in support of this legislation. I think this is a practical method for handling the needs of the agencies and departments for increased effective personnel. Especially I would like to underscore the point made by the gentleman from Iowa [Mr. GROSS], that the subcommittee will keep a close eye on the method of allocation, including the question as to whether these new supergrades will attract competent people from the private sector of the economy or whether it will just be used for the promotion of people now working in the Federal Government hierarchy.

This is an area where the committee will sustain its interest. I would also like to point out that we have provided increased supergrades in the General Accounting Office and the Library of Congress, two areas where we in Congress have a special interest. I feel their request is well merited. Mr. Speaker, I join the gentleman from Iowa also in commending the gentleman from North Carolina, our chairman, for his very judicious production of this bill.

Mr. GROSS. Mr. Speaker, I thank the gentleman for his comments, and I now yield 1 minute to the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Speaker, I join my distinguished colleagues in support of this legislation. I would like to join the gentleman from Illinois [Mr. DERWINSKI] in praising our distinguished subcommittee chairman for his work as well as the work of the ranking minority member, the gentleman from Iowa [Mr. GROSS]. It is a privilege to serve with these two gentlemen.

Mr. Speaker, as our able chairman, the gentleman from North Carolina [Mr. HENDERSON], has pointed out, S. 2393 continues a procedure which I feel is sound; namely, to allocate en bloc supergrades to the U.S. Civil Service Commission, which in turn has the responsibility for evaluating the positions themselves and the qualifications of the people for these supergrade jobs.

Mr. Speaker, I concur with the gentleman from Iowa, in the hope that our Manpower Subcommittee will continue to review the controls administered by the U.S. Civil Service Commissioners in this very important manpower area. Thus far, in my judgment, the Commissioners have fulfilled this function well. The Manpower Subcommittee has, in my 2 years' observation, done an effective job of monitoring the operations of the Commission. I am inclined to believe that our chairman, the staff, and the committee will continue to fulfill this responsibility, and urge the passage of this legislation.

(Mr. BUCHANAN asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, I have one other request for time. I now yield

1 minute to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I would like to ask the gentleman from North Carolina, the chairman of the subcommittee of the Committee on Post Office and Civil Service, one question. I listened attentively to what he said, and I have listened to everyone who seems to be unusually alined in favor of these new 456 supergrades in the Federal Government which from time to time some of us have already thought was gargantuan.

But I have not heard anything about what the total cost might be, estimated or actual. I understand that some of this may come from promotions of GS-12's and 15's and so forth to these "supergrades." But what could the total additional amount and cost to the taxpayer be for these vacancies?

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. HALL. I shall be glad to yield to the distinguished gentleman from North Carolina.

Mr. HENDERSON. The question of cost was raised by the members of the subcommittee, and as the report sets forth, on page 6, the best cost estimate that could be obtained was taken from the testimony of Chairman John Macy, Chairman of the Civil Service Commission, who testified that, based upon experience and the average cost of additional persons authorized by the bill, S. 2393, it would be approximately \$2,000 per year per person.

Mr. Speaker, since there are some 456 additional positions, the estimated annual cost of the enactment of the legislation would be \$912,000.

Mr. Speaker, I believe this is a fair estimate; at least, this is the best that we have. Of course, the subcommittee recognizes that, to meet that, your increase to the number of top-level positions, the direct cost of those positions may not be the entire cost to the Federal Government. And, if there is inflation, promotions from within, and those positions are then filled, there can be a spiraling cost.

Mr. Speaker, I would like to assure the gentleman from Missouri and the other Members of the House that the subcommittee will continue its surveillance over the method that is used for filling these positions so that we can have realistic control over the cost involved.

Mr. HALL. Mr. Speaker, I thank the gentleman from North Carolina for his unusually erudite answer and his ready answers as always, showing good homework and backgrounding.

However, Mr. Speaker, I have generated one additional question:

Do I understand that in addition to the unanimous-consent request which we passed for the Post Office Department today providing for a new Assistant Postmaster General for Research and Development, and in view of the fact, as is stated in the report on page 2, under "Purpose," many of the supergrades will be for research and development; that the Postmaster General would have to get his additional help for this new sub-Cabinet position out of the 300 in the civil service pool?

Mr. HENDERSON. Mr. Speaker, will the gentleman yield further?

Mr. HALL. I yield further to the gentleman from North Carolina.

Mr. HENDERSON. Mr. Speaker, as it stands at the present, this is correct.

Mr. HALL. It is my further information that 35 of these supergrades are allocated in addition to the pool to the Library of Congress, 31 to the General Accounting Office, 50 to the FBI, and 40 to the National Security Agency. All of those positions, Mr. Speaker, I personally deem very worthwhile positions based upon my personal information and investigation of these areas as a member of the Joint Committee on the Organization of the Congress, and the Committee on Armed Services of this body.

Mr. HENDERSON. Mr. Speaker, if the gentleman will yield further, this is correct.

However, in referring to the Post Office Department specifically, for their super grades they would have to get their super grades from the pool that is granted to the Civil Service Commission. But in order to be completely responsive to the gentleman and to inform the gentleman as to what this bill does with respect to the Post Office Department, I would like to point out that the bill, as amended, does amend section 3301 of title 31 of the United States Code, by removing level 18 of the postal field service salary schedule from a numerical limitation. At the present time there is a limit of 70 on the number of postal field service positions in grades PFC-18, PFC-19 and PFC-20. The postal field service grade 18, we felt on the subcommittee, is probably comparable to GS-15 of the Classified Service Act to which is not a super grade and is not restricted to numbers. If this legislation is adopted we will bring the Post Office Department in line with the other agencies.

Of course, it could be contended—and I wanted the gentleman from Missouri to be fully informed—that in this instance we are, in addition to the super grades, assisting the Post Office Department in providing better management and flexibility at the top level.

Mr. HALL. Mr. Speaker, I thank the gentleman from North Carolina, and I thank the gentleman from Iowa for yielding.

Mr. Speaker, I think this comes within the bailiwick of a good personnel program, and I commend the committee for its action.

Mr. LONG of Maryland. Mr. Speaker, I am delighted to rise in support of S. 2393 to provide for 456 additional career positions in certain departments and agencies of the Federal Government.

I was pleased to introduce legislation to create additional supergrade positions last summer. The need for increased leadership positions was evident then, and it is even more evident now. Vital new responsibilities have been thrust upon the Federal Government in the past few years; and the only way to meet these responsibilities is, to give authority to the U.S. Civil Service Commission—for the first time since 1962—to allocate a number of new positions for Government-wide use at the GS-16, GS-17, and GS-18 grade levels.

Since the headquarters of the Social Security Administration is in my district, I have, of course, been particularly mindful of the situation of that agency. I have kept abreast of the tremendous growth in the social security program, and I am familiar with the problems social security has faced in its efforts to maintain its high standards of efficiency and service. Let me point out what I consider to be a matter of vital concern.

Even before the enactment of medicare last year, the Social Security Administration was operating the largest insurance program of its kind in the world. It now pays almost \$18 billion a year in cash benefits to 1 out of every 10 Americans. It serves tens of thousands daily through a nationwide network of more than 700 district and branch offices and requires a current staff of 43,000 people to conduct its operation.

In establishing medicare, the Social Security Amendments of 1965 created two completely new national programs of hospital and supplemental medical insurance which will affect more than 19 million of the Nation's senior citizens. At the same time, the old-age, survivors, and disability insurance program was broadened and improved. These additions to the social security program have presented demanding administrative challenges to the Social Security Administration. Broad-scale, extensive consultations are, and will be, required with professional organizations and with organizations representing the Nation's hospitals and others who furnish reimbursable health services. New operating policies and recordkeeping procedures, including those governing the huge task of establishing the entitlement of 19 million persons 65 years of age and over for the hospital insurance program, are of a scope never before undertaken in the health field.

Believe it or not, with all these responsibilities, the Social Security Administration presently has only 16 supergrades.

The top-level executives of the Social Security Administration who have met the challenges of the large program over the years have exercised ingenuity and foresight. Successive major amendments to the Social Security Act have been effectively and economically implemented. Yet, considering the scope of their roles in program administration and its effect on the welfare of the people, these key officials have not been adequately compensated for their ability or for their efforts and accomplishments.

Of course, the Social Security Administration is not the only agency that plays such a vital role in building the Great Society. Several other agencies share this task. Leadership in this effort requires the talents of many men and women at the top, both today and in the years ahead. It is now the responsibility of Congress to help attract and keep leaders in government. S. 2393 will help to meet this responsibility, and I therefore urge that it be passed.

Mr. HANLEY. Mr. Speaker, I rise in support of S. 2393, as amended. The able chairman of our Manpower Subcommittee, Hon. DAVID N. HENDERSON of North Carolina, has done a fine job, a complete

job, of analyzing the current needs of the departments and agencies of the Federal Government relative to top level positions, that is, positions in salary grades GS-16, GS-17, and GS-18 under the Classification Act.

The Manpower Subcommittee held public hearings and our staff worked closely with the Civil Service Commission relative to the needs of the departments and agencies. I believe that the bill before us today, S. 2393, is reasonable and is well justified.

I certainly appreciate the timely effort on the part of our chairman and the other members of our committee in voting the bill out of the committee for I feel that many of these key jobs are needed now.

Mr. Speaker, I am happy to join my colleagues in support of S. 2393.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill with an amendment?

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

The title was amended so as to read: "An Act to provide for additional positions in certain departments and agencies, and for other purposes."

A motion to reconsider was laid on the table.

BEHAVIORAL SCIENCES AND THE NATIONAL SECURITY

(Mr. FASCELL asked and was given permission to address the House for 1 minute; to revise and extend his remarks and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, more than 3 years ago, in the course of a stimulating session with the late Edward R. Murrow, the House Foreign Affairs Subcommittee on International Organizations and Movements launched an inquiry into the operations which comprise the fourth dimension of our foreign policy—the dimension which is concerned with the U.S. image abroad, and with influencing the attitudes of the peoples, and of the governments, of foreign countries.

In the months, then years, which followed, we held numerous hearings, probing into the organization, the management, and the direction of a multitude of governmental programs designed to lend support to the diplomatic, economic, and military components of our foreign policy.

We also consulted extensively with individuals and organizations in the private sector—with communications media specialists, with behavioral and other social scientists, and with the representatives of America's voluntary organizations and of U.S. firms conducting business abroad.

Our findings and conclusions, as well as our recommendations for actions which we deemed to be in our national interest, were outlined in a series of reports and studies published by the subcommittee. I shall refer to some of those publications in the course of my remarks.

One area which was of particular interest to our subcommittee in this in-

vestigation deals with the role of the behavioral sciences—with what they tell us about human attitudes and motivations, and how this knowledge is being—or can be—applied to governmental undertakings designed to carry out our foreign policy objectives.

SERIOUS SHORTCOMINGS

Much to our surprise and regret, we found that the situation prevailing in this area—insofar as governmental operations and our Government's relations with the academic community are concerned—is it a state of considerable disrepair.

We found, for example, that a disproportionately small part of our Government's annual \$16 billion outlay on research and development is being devoted to research in the fields of the social and behavioral sciences—and that funds spent on foreign policy-related research account for only a fraction of the latter amount.

We also found that the bulk of research relevant to the achievement of our national objectives on the international scene is being conducted by agencies which do not have direct responsibility for the formulation and execution of our foreign policy.

We found, further, that coordination between governmental research programs in these fields was inadequate—that duplication and research gaps mar the results of our national effort in this area—and that the allocation of scarce resources, both manpower and financial, is not related to any orderly, long-term projection of our national needs and resulting priorities.

We found, in brief, that our effort in the field of the social and behavioral sciences is fragmented and uncoordinated—and that this is creating increasing problems for the Government as well as for the academic and professional communities which have endeavored to assist in meeting our national requirements.

Most of our findings on this subject were detailed in two reports—in House Report No. 1352, of the 88th Congress, entitled "Ideological Operations and Foreign Policy," and in House Report No. 1224, of the 89th Congress, entitled "Behavioral Sciences and the National Security."

REMEDIES PROPOSED

In submitting our findings to the Congress, our subcommittee made a number of specific recommendations for correcting the disorder which exists in this area.

Some of those recommendations appear to have produced encouraging—although very modest—results.

In 1964, for example, an interagency Foreign Area Research Coordination Group—FAR—was established under the chairmanship of a Department of State representative, to serve as a forum for the interchange of information between Government agencies sponsoring research relating to foreign affairs.

Again—last year—following the widespread publicity arising out of Project Camelot and the initiation of hearings on this subject by our subcommittee, two steps were taken—one within the Department of Defense and the other on an interagency basis—to reduce the risk

of Government sponsorship of foreign affairs research which could adversely affect our foreign relations.

The Department of Defense moved to designate a central point for the coordination and clearance of all research relating to foreign affairs, performed by or for the Military Establishment.

And the Foreign Research Council, created within the Department of State, was given the task of reviewing all Government-sponsored research relating to foreign affairs.

These and other steps, while helpful in some respects, fall considerably short of curing the basic problems to which I alluded a few minutes ago.

BILLS BEING INTRODUCED

For this reason, I am today introducing three separate bills in the House of Representatives, with the hope of stimulating discussion—and constructive action—to further remedy the flaws which continue to plague our Government's approach to the social and behavioral sciences.

These bills result from our subcommittee's continuing investigation of the formulation and implementation of our foreign policy. Two of them are based directly on the recommendations embodied in our subcommittee's last report on "Behavioral Sciences and the National Security." Nevertheless, all three of them have implications which transcend the field of foreign policy. They should be of interest to social and behavioral scientists and to governmental agencies—specializing in other fields.

I shall describe the three bills briefly and then include their full texts in the RECORD at the conclusion of my remarks.

WHITE HOUSE CONFERENCE ON THE SOCIAL AND BEHAVIORAL SCIENCES

My first bill, H.R. 15457, proposes the establishment of a Presidential Commission to prepare the groundwork for a White House Conference on the Social and Behavioral Sciences.

Pursuant to the bill, the Commission would be appointed by the President and confirmed by the Senate.

It would be composed of 12 members, selected from private life among recognized leaders in the social and behavioral sciences.

The purpose of the Commission would be to conduct such studies and investigations as it may deem necessary to make recommendations to the President with respect to the time for convening a White House Conference on the Social and Behavioral Sciences, the subject matters to be included in the agenda of such a conference, the individuals and organizations to be invited to participate, and related issues.

The Commission is directed to submit its report within 1 year after the enactment of the authorizing legislation.

To aid it in its work, the Office of Science and Technology in the Executive Office of the President is authorized to provide the Commission with the necessary staff assistance.

This is the first step. It is directed to the examination of our national effort in the social and behavioral sciences. It is also intended to bring to bear upon Government policy, the knowledge, the

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued Sept. 1, 1966
For actions of Aug. 31, 1966
89th-2nd; No. 146

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HIGHLIGHTS: House received conference report on foreign aid authorization bill. House agreed to conference report on road authorization bill. House committee voted to report bill for rural-renewal loans and cost-sharing for recreation facilities. Rep. Abernethy expressed concern over cotton imports. Senate passed food for freedom bill. Sen. Proxmire urged increase in school milk funds. Rep. Johnson, Calif. commended Forest Service and inserted correspondence.

SENATE

1. **FOOD FOR FREEDOM.** Passed with amendments H. R. 14929, the food for freedom bill. Conferees were appointed. House conferees have not yet been appointed. (pp. 20566-86, 20629-30)

Adopted the following amendments:

By Sen. Morse, to enlarge the Advisory Committee to include the Secretaries of State and of the Treasury, and four members each of the Senate Foreign Relations Committee and the House Foreign Affairs Committee. (pp. 20566-7).

By Sens. Williams, Del. and Neuberger (modified by Cooper amendment), to exclude alcoholic beverages and tobacco or its products from the term "agricultural commodity." pp. 20573-81

2. GUAM. The Commerce Committee reported without amendment S. 2979, to extend coverage of the State Technical Services Act of 1965 to the territory of Guam (S. Rept. 1554). p. 20612
3. ELECTRIFICATION. The Commerce Committee reported with amendment S. J. Res. 189, to provide for a study of the impact of overhead electric transmission lines and towers upon scenic assets, zoning and community planning, property values, and real estate revenues (S. Rept. 1556). p. 20612
4. WILDLIFE. Passed as reported H. R. 9424, to provide for a program of protection and conservation of fish and wildlife threatened with extinction and to consolidate the authorities relating to Interior administration of the national wildlife refuge system. pp. 20857-8

5. PERSONNEL. Conferees were appointed on S. 2393, to authorize additional super-grade positions for use in agencies or functions created or substantially expanded after June 30, 1965. ~~House conferees have already been appointed.~~ p. 20593

6. SURPLUS PROPERTY. A subcommittee of the Government Operations Committee approved for full committee consideration S. 3385, to give State health, education, and civil defense agencies priority over foreign eligible donees in receiving Government surplus property. p. D832
7. NATIONAL PARK. Sen. Kuchel criticized the cutting of timber by a private company on the site of the proposed Redwood National Park. pp. 20562-6
8. WATER AND AIR POLLUTION. Sen. Tydings inserted two articles, one describing industrial waste isolation as "a new concept to preserve fresh water," the second urging businesses to end pollution of the air. pp. 20608-11
9. SCHOOL MILK. Sen. Proxmire urged an increase of \$6 million in funds for the school milk program. p. 20625

HOUSE

10. ROADS. Agreed to the conference report on S. 3155, the road authorization bill, which authorizes \$33 million for forest highways and \$170 million for forest development roads and trails for each of the fiscal years 1968 and 1969. This bill will now be sent to the President. pp. 20452-9
11. FOREIGN AID. Received the conference report on H. R. 15750, the foreign aid authorization bill (H. Rept. 1927). pp. 20488-96
Rep. Bingham inserted an editorial commending Rep. Morgan for his "effective leadership" in the House committee and floor debate on the bill. pp. 20535-6
12. TRAFFIC SAFETY. Both Houses agreed to the conference report on S. 3005, to establish motor vehicle safety standards. This bill will now be sent to the President. pp. 20459-63, 20598-604

offices. This would be of incalculable benefit to these students.

Such an educational program may seem a far cry from the issues of war and peace. But only after individual efforts bear fruit, when the rule of law is established in the developing world, will the right climate exist for the kind of international cooperation we all want.

Then we really will have been friends to the new nationalism, and it will be all to our good.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3155) to authorize appropriations for the fiscal years 1968 and 1969 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 17419) to amend the Act incorporating the American Legion so as to redefine eligibility for membership therein, and it was signed by the Vice President.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside.

The PRESIDING OFFICER (Mr. PASTORE in the chair). Without objection, it is so ordered.

ADDITIONAL GS-16, GS-17, AND GS-18 POSITIONS FOR USE IN CERTAIN AGENCIES

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965, which were, to strike out all after the enacting clause and insert:

That (a) section 505(b) of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), is amended to read as follows:

"(b) Subject to subsections (c), (d), (e), (f), (g), (j), (k), and (l) of this section, a majority of the Civil Service Commissioners are authorized to establish and, from time to time, revise the maximum number of positions, not to exceed an aggregate of twenty-seven hundred positions, which may be placed in grades 16, 17, and 18 of the General Schedule at any one time. Such number of positions shall be in addition to—

"(1) any professional engineering positions primarily concerned with research and development and professional positions in the physical and natural sciences and medicine which may be placed in such grades, and

"(2) two hundred and forty examiner positions under section 11 of the Administrative Procedure Act (5 U.S.C. 1010) which may be placed in grade 16 of the General Schedule and nine such positions which may be placed in grade 17 of the General Schedule."

(b) Section 505(c) of such Act, as amended (5 U.S.C. 1105(c)), is amended—

(1) by inserting "(1)" immediately following "(c)"; and

(2) by adding at the end thereof the following paragraph:

"(2) The Librarian of Congress is authorized, subject to the procedures prescribed by this section, to place a total of thirty-five positions in the Library of Congress in grades 16, 17, and 18 of the General Schedule. Such positions shall be in addition to the number of positions otherwise authorized by law to be placed in such grades."

(c) Section 505(d) of such Act, as amended (5 U.S.C. 1105(d)), relating to additional positions for the General Accounting Office in grades 16, 17, and 18 of the General Schedule, is amended by striking out "thirty-nine positions" and inserting in lieu thereof "seventy positions".

(d) Section 505(e) of such Act, as amended (5 U.S.C. 1105(e)), relating to additional positions for the Federal Bureau of Investigation, United States Department of Justice, in grades 16, 17, and 18 of the General Schedule, is amended by striking out "seventy-five positions" and inserting in lieu thereof "one hundred and twenty-five positions".

(e) The Act entitled "An Act to provide certain administrative authorities for the National Security Agency, and for other purposes", approved May 29, 1959 (50 U.S.C. 402, note), as amended, is amended—

(1) by striking out, in section 2 thereof, "sixty-five such officers and employees" and inserting in lieu thereof "seventy-five such officers and employees"; and

(2) by striking out, in section 4 thereof, "sixty civilian positions" and inserting in lieu thereof "ninety civilian positions".

(f) Section 3301 of title 39, United States Code, relating to personnel requirements of the postal field service, is amended by striking out "salary levels 18, 19, and 20" and inserting in lieu thereof "salary levels 19 and 20".

And to amend the title so as to read: "An Act to provide for additional positions in certain departments and agencies, and for other purposes."

Mr. MONRONEY. I move that the Senate disagree to the amendments of the House of Representatives, and request a conference with the House of Representatives on the disagreeing votes of the two Houses; and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MONRONEY, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. CARLSON, and Mr. FONG conferees on the part of the Senate.

MAILING PRIVILEGES OF MEMBERS OF THE U.S. ARMED FORCES AND OTHER FEDERAL GOVERNMENT PERSONNEL OVERSEAS

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 13448) to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MONRONEY. I move that the Senate insist upon its amendments and

agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MONRONEY, Mr. RANDOLPH, Mr. YARBOROUGH, Mr. CARLSON, and Mr. FONG conferees on the part of the Senate.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Gerald A. Brown, of California, to be a member of the National Labor Relations Board.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

CALIFORNIA DEBRIS COMMISSION

The assistant legislative clerk proceeded to read sundry nominations for the California Debris Commission.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The assistant legislative clerk read the nomination of Miles S. McKee, of Michigan, to be a member of the Advisory Board of the St. Lawrence Seaway Development Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UPPER GREAT LAKES REGIONAL COMMISSION

The assistant legislative clerk read the nomination of Thomas S. Francis, of Maryland, to be Federal Cochairman of the Upper Great Lakes Regional Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

OFFICE OF SCIENCE AND TECHNOLOGY

The assistant legislative clerk read the nomination of Ivan L. Bennett, Jr., of Maryland, to be Deputy Director of the Office of Science and Technology.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

FEDERAL COAL MINE SAFETY BOARD OF REVIEW

The assistant legislative clerk proceeded to read sundry nominations to the Federal Coal Mine Safety Board of Review.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered en bloc; and, without objection, they are confirmed.

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

The assistant legislative clerk proceeded to read sundry nominations in the Environmental Science Services Administration.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

U.S. AIR FORCE

The assistant legislative clerk read the nomination of Lt. Gen. Thomas P. Gerrity to be senior Air Force member of the Military Staff Committee, United Nations.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. ARMY

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. MARINE CORPS

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered en bloc, and confirmed.

DEPARTMENT OF STATE

The assistant legislative clerk proceeded to state sundry nominations in the Department of State.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered en bloc, and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE AIR FORCE, IN THE ARMY, IN THE NAVY, IN THE MARINE CORPS, IN THE DIPLOMATIC AND FOREIGN SERVICE

The assistant legislative clerk proceeded to read sundry nominations placed on the Secretary's desk in the Air Force, in the Army, in the Navy, in the Marine Corps, in the Diplomatic and Foreign Service.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

COMMENTS OF SENATOR MURPHY REGARDING THE RETIREMENT OF GEN. BERNARD A. SCHRIEVER

Mr. PROUTY. Mr. President, I ask unanimous consent to have printed at this point in the Record a statement by the distinguished junior Senator from California [Mr. MURPHY].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MURPHY

I wish to associate myself with all those distinguished Americans who pause this day to salute General Bernard A. Schriever. General Schriever today ends a truly great military career in the United States Air Force.

We in California have come to know the General well. After World War II and the Korean conflict, the Soviet Union challenged our country with intercontinental ballistic missiles, feats in space and in the air. Our country needed a man to head its program to meet this formidable threat.

General Schriever heeded the call taking the reigns of the several Air Force agencies concerned with the development and production of a mighty retaliatory force. He came to California to direct his country's efforts and his success is legend. I need not recount here his dramatic achievement with the Atlas, Titan and Minuteman programs. His subsequent tenure as Commander of the Air Force Systems Command has added further to his great record.

General Ben Schriever has achieved much in his yet young lifetime. It is certain he will continue to make manifold contributions as a civilian in his chosen field. He carries with him the profound gratitude of his country.

Mr. PROUTY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE NATIONAL TEACHERS CORPS—A RETREAT FROM HOPE?

Mr. JAVITS. Mr. President, I wish to say just a word—and I shall be brief—about the National Teachers Corps. I have been visited by a considerable number of wonderful young men who have been trained for the National Teachers Corps. They came to see me, as well as other Senators, from various universities. These young men paid their own way. They are dedicated to their work. They have sought this opportunity to serve the poor through the National Teachers Corps, which gives bright promise, like the Peace Corps and like VISTA. We know that it is badly needed in the war on poverty.

There were 10,000 applicants who were attracted to the National Teachers Corps, but now we find ourselves—because there have been no appropriations made by Congress—with a remnant of 1,600 once eager teachers, who, having finished their special training, now have no place to go.

The program was launched with considerable promise. Congress authorized \$36.1 million for its first year. The administration requested less than half that amount—\$13.2 million—and finally \$9.1 million was appropriated, with tight restrictions on its expenditure.

With this money, the National Teachers Corps went about giving special training to 1,616 teachers to go to needy, poverty schools. Now, funds are needed for the current year to pay these teachers to put their experience and their enthusiasm to work as contemplated by U.S. investment in their training.

For fiscal year 1967, \$64,715,000 is authorized, and the administration requested \$31,372,000, which would have resulted in putting some 3,000 teachers in the field in slum schools, and another 750 in training.

Unfortunately, the other body did not include any money for the National Teachers Corps in the Labor-HEW appropriation bill which was approved by that body on May 5, and which is still pending before the Appropriations Committee in the Senate. If the Senate does not act affirmatively, the National Teachers Corps will become a broken promise to the slum child, and a shattered dream for the dedicated young people who have volunteered to step into the front lines as teachers in the fight against poverty.

The Senate has a real responsibility in this matter. I express the earnest hope that it can be met. We cannot, with logic, adopt a multibillion-dollar

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HIGHLIGHTS: House received conference report on labor standards bill. House passed bill to authorize USDA to hold prepayments on FHA loans.

HOUSE - September 2

1. LOANS; INTEREST RATES. Rep. Patman spoke in favor of H. R. 14026, his bill to provide an interest-rate ceiling on time deposits. pp. 20962-5
2. CHILD NUTRITION. Rep. Stratton inserted and commended an article favoring the child nutrition bill. p. 20968

HOUSE - September 6

3. LOANS; INTEREST RATES. Passed without amendment H. R. 15510, to authorize this Department to hold prepayments made to the Secretary by insured-loan borrowers and to transmit them to the holder of the note in installments as they become due. p. 20812
Passed without amendment S. J. Res. 178, to delete the interest-rate limitation on debentures issued by Federal intermediate credit banks. pp. 20812-3
Rep. Patman and others discussed his interest-rate bill, H. R. 14026. pp. 20809, 20860-1, 20866-71
Rep. Findley recommended various steps to aid financing for housing. p. 20863
Rep. Widnall criticized the participation sales program. pp. 20864-5
4. HIDE EXPORTS. Rep. Edmondson criticized export controls on cattle hides. p. 20811
5. RECLAMATION. Agreed to the conference report on S. 254, to authorize the Tualatin reclamation project, Oreg. pp. 20811-12
6. SUPERGRADES. Conferees were appointed on S. 2393, to authorize additional super-grade positions. Senate conferees have been appointed. p. 20812
7. CONTRACTS. Discussed and, at Rep. Pelly's request, passed over H. R. 4497, to require certain contractors with the U. S. to give an affidavit with respect to payment of subcontractors. pp. 20822-3
8. LABOR STANDARDS. Received the conference report on H. R. 13712, to amend the Fair Labor Standards Act so as to increase the minimum wage, add various groups including agricultural workers; strengthen overtime provisions, etc. (H. Rept. 2004). pp. 20825-31
9. RIVER BASIN. Passed under suspension of the rules H. R. 13508, to direct the Interior Department to cooperate with N. Y. and N. J. on a program to develop, preserve, and restore the resources of the Hudson River. pp. 20846-54
10. REDWOOD PARK. Received from the Interior Department a proposed bill to preserve the trees in the proposed Redwood National Park until Congress has had an opportunity to determine whether the park should be established. To Interior and Insular Affairs Committee. p. 20880
11. ALASKA LANDS. Passed without amendment S. 2366, to make less restrictive the act dealing with sale and exchange of the 122,000 acres of land which were granted to Alaska for the State Agricultural College and School of Mines. This bill will now be sent to the President. pp. 20813-4
12. WATER RESOURCES. Discussed and, at Rep. Gross' request, passed over S. 2287, to require the Interior Department to investigate the water resources of the Delmarva Peninsula. pp. 20817-8
13. LEGISLATIVE PROGRAM. Rep. Patman announced that his interest-rate bill will be considered today (p. 20809). Rep. Boggs announced that the labor standards bill will also be considered today (p. 20810).

am sure all of you join with me in wishing him a speedy recovery.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I shall be very happy to yield to the distinguished minority whip.

Mr. ARENDS. Mr. Speaker, certainly all of us are indeed sorry to learn of this sudden illness of the gentleman from Oklahoma [Mr. ALBERT], our beloved majority leader. And, Mr. Speaker, along with Members on both sides of the aisle, we all pray for CARL's speedy recovery and may God watch and care over him.

Mr. BOGGS. Mr. Speaker, I thank the distinguished minority whip.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I am happy to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I would like to request of the gentleman from Louisiana [Mr. Boggs] that he read the passage that he is asking unanimous consent to be inserted in the RECORD. It is evidently a very short one.

Mr. Speaker, all of us are vitally interested in the general health and well-being of the gentleman from Oklahoma and join in expressing our deep interest in the gentleman's well-being and immediate and complete recovery.

Mr. Speaker, only last week the gentleman from Oklahoma and I discussed this possibility, based upon his daughter's entering college and based upon the Albert family moving into smaller quarters, as well as the fact that the distinguished majority leader expressed to me the fact that he was tired.

Mr. Speaker, as one of the professionals on the floor of the House, I would be very happy to hear the release read in full.

Mr. BOGGS. I shall be glad to read to the Members of the House the full release:

House Majority Leader CARL ALBERT entered Bethesda Naval Hospital for 2 to 3 weeks of rest following a minor coronary occlusion without complications. Mr. ALBERT had some minor chest pain following a hectic 8-month legislative session and a weekend foray of packing and yard work. Mr. ALBERT's physician recommended hospitalization as a preventive measure and ordered a regimen of complete rest over the next several weeks.

THE HONORABLE CARL ALBERT

(Mr. EDMONDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Speaker, I am sure that all Oklahomans will be joined by all Americans in wishing a speedy recovery for our beloved majority leader, the gentleman from Oklahoma, CARL ALBERT, who entered Bethesda Naval Hospital this morning.

The physicians inform us that our colleague is resting well and has been hospitalized largely as a precautionary measure, to assure complete rest.

The arduous and demanding duties of majority leader constitute a heavy burden at all times, and during the closing

stages of a session of Congress that burden is unusually heavy.

I am sure that all who sit in this body will agree that no one has worked harder, longer, or more conscientiously during the 89th Congress than our majority leader, who has been a decisive figure in the historic legislative record of the 89th.

The prayers and best wishes of all of us will be with our majority leader as he rests at Bethesda, and we hope he will enjoy a complete and early recovery.

EXPORT QUOTAS COSTING UNITED STATES ITS PLACE IN EUROPEAN HIDE MARKET

(Mr. EDMONDSON asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. EDMONDSON. Mr. Speaker, the continued imposition of the Commerce Department's unwise quota system on the export of cattle hides is playing a big part in the American hide industry's loss of its share of the valuable European market.

This alarming situation is spelled out in a survey of the European market reported in the September 1 issue of Footwear News. The survey was prompted by the fact that American export quotas went unused in the second control period, which ended August 31.

Footwear News reports the European tanners originally sought sources of hides other than American for "reasons of convenience," and that the American imposition of the export quota system has made these Europeans feel it is to their advantage to solidify these other market connections, rather than return to the American suppliers—despite the fact that the quotas have forced American prices down.

This same issue of Footwear News reports a 2.4-percent increase in department store prices over the 12-month period ending in July 1966—the biggest such increase since the year ending July 1951—and that shoe prices led the way in this big increase. Men's and boys' shoes showed a price increase of 8.4 percent during this period, and women's and children's shoes increased 7 percent. These were the largest increases on any items.

Mr. Speaker, at the same time domestic hide prices remain unnecessarily low, and the American cattle producer is losing millions of dollars because of this artificial market situation.

We have here a situation where everybody is the loser. The cattleman's herd is worth less because hide prices are down, the consumer is paying more for his shoes despite the fact that hide prices are down, the exporter is losing his foreign market because of uncertainty brought on by the quota system, and the American economy has lost an opportunity to bring dollars home.

Mr. Speaker, these are four good reasons the Department of Commerce should rescind the hide export quota system. If there is any convincing and realistic reason for keeping these quotas, I have yet to hear it.

THE TUALATIN FEDERAL RECLAMATION PROJECT, OREGON

Mr. O'BRIEN. Mr. Speaker, I call up the conference report on the bill (S. 254) to authorize the Secretary of the Interior to construct, operate, and maintain the Tualatin Federal reclamation project, Oregon, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. ARENDS. Mr. Speaker, reserving the right to object—and I shall not object—I wonder if the gentleman from New York has advised the gentleman from Pennsylvania [Mr. SAYLOR] that he planned to call up this conference report this morning?

Mr. O'BRIEN. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from New York.

Mr. O'BRIEN. No, I have not, because this responsibility came my way rather suddenly. But I would say to the gentleman from Illinois that the bill which we bring back is identical to the legislation already passed by the House of Representatives.

Mr. ARENDS. The gentleman from New York feels certain that the gentleman from Pennsylvania [Mr. SAYLOR] is in agreement with this conference report?

Mr. O'BRIEN. The gentleman from Pennsylvania signed it.

Mr. ARENDS. He signed it?

Mr. O'BRIEN. Yes, sir.

Mr. ARENDS. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of September 1, 1966.)

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, are all amendments or changes in this bill germane to the bill; is this correct?

Mr. O'BRIEN. That is my understanding; yes, that they are germane. The bill, as I say, is identical with the bill which we passed in the House of Representatives.

Mr. GROSS. Mr. Speaker, I thank the gentleman from New York.

(Mr. O'BRIEN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. O'BRIEN. Mr. Speaker, the conference report which we bring back for House consideration today is identical to the legislation already approved by the House. The conference committee agreed upon the language of the House amendment.

There is one matter involved in this legislation which the conference committee considered at some length and

which warrants a brief explanation in connection with the consideration of the conference report. The Senate-passed bill included "water quality control" as a purpose in the Tualatin project which carried with it a nonreimbursable allocation of \$2,020,800 to such purpose. When this legislation was considered in our committee, "water quality control" was eliminated as a purpose in the project and provision was made for allocating the \$2,020,800 among the other project purposes. In its consideration of this matter, the conference committee requested additional information from the Department of the Interior. Included in the information furnished was a remainder that the Federal Water Pollution Control Administration is now in the Department of the Interior and that the Department now has the responsibility for making the findings with respect to water quality control allocations and the reimbursability thereof. It is further stated in the letter that the "policy questions and procedures for evaluation of water quality control benefits and for determining the reimbursability of costs allocated to that function are now being studied by a committee of the Water Resources Council."

In view of the fact that the reimbursability of costs allocated to "water quality control" is presently being restudied and the fact that, in the past, there have been inconsistencies in the handling of "water quality control" with respect to different projects, the conference committee agreed to leave out "water quality control" as a project purpose on a nonreimbursable basis at this time. There is no objection to project operation whereby water is released for "water quality control" if the cost thereof is made reimbursable by the beneficiaries of such operation, and the Secretary already has authority for operation on this basis.

The elimination of "water quality control" as a purpose in the Tualatin project does not change the physical plan of development. The difference is only in the project operating plan. Thus, the action of the conference committee does not foreclose later inclusion of this function on a nonreimbursable basis when an equitable and consistent policy with respect to inclusion of "water quality control" as a purpose in water resources development projects has been established. The Tualatin project can be given the benefits of such policy by amending legislation.

Mr. Speaker, S. 254 will authorize a relatively small, but a very meritorious and much-needed Federal reclamation project in the State of Oregon. The project, estimated to cost about \$21 million, is a multiple-purpose development providing for the irrigation of approximately 17,000 acres, municipal and industrial water supply to several towns in the project area, recreation opportunities and fish and wildlife conservation. I urge the adoption of the conference report.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'BRIEN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to. A motion to reconsider was laid on the table.

TO AUTHORIZE ADDITIONAL GS-16, GS-17, AND GS-18 POSITIONS

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965, with House amendments thereto, insist upon the House amendments and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? The Chair hears none and appoints the following conferees: Messrs. DULSKI, HENDERSON, and GROSS.

CONSENT CALENDAR

The SPEAKER. This is the day set for the call of the Consent Calendar.

The Clerk will call the first bill on the Consent Calendar.

PAN AMERICAN INSTITUTE OF GEOGRAPHY AND HISTORY

The Clerk called the Senate joint resolution (S.J. Res. 108) to amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this Senate joint resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. HALL]?

There was no objection.

PAYMENT OF INSTALLMENTS ON FARMERS HOME ADMINISTRATION INSURED LOANS

The Clerk called the bill (H.R. 15510) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to hold prepayments made to the Secretary by insured loan borrowers and transmit them to the holder of the note in installments as they become due.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, and I shall not object, I simply want to state that in the interim the gentleman from Texas [Mr. POAGE], vice chairman of the Committee on Agriculture, has explained the intent of this bill to authorize the Farmers Home Administration to pay off, but not necessarily use funds collected as prepayments, according to contracts with those to whom they discount these notes or debentures.

Based on that, plus the letter from the director of the Farmers Home Administration in Missouri which simply states that although investors would object strenuously when they do not receive at least the amount of accrued interest on each installment date, the committee does feel that the note-holder might not receive payment for several years and lose his accrued interest in any one intervening year in cases of prepayment. Those who are purchasing the discounted notes understand it.

This relieves the question I had in my mind the last time this was put over without prejudice on the Consent Calendar, as far as undue usage of funds were concerned.

Therefore, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

H.R. 15510

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (2) of subsection 309(f) of the Consolidated Farmers Home Administration Act of 1961 is amended by striking out the words "the due date of the annual installment" and inserting in lieu thereof the word "due".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DELETE INTEREST RATE LIMITATION ON DEBENTURES, ISSUED BY FEDERAL INTERMEDIATE CREDIT BANKS

The Clerk called the House Joint Resolution (H.J. Res. 1217) to delete the interest rate limitation on debentures issued by Federal intermediate credit banks.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that this joint resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. POAGE. Mr. Speaker, reserving the right to object, I do so in order to point out just what is in this bill and the necessity for passing it.

Mr. Speaker, I do not think this legislation was understood 2 weeks ago. I think that it probably is not understood now because when you bring in a bill that allows someone to charge a higher interest rate than he could have charged you in the past, you are immediately suspected of trying to raise, rather than reduce interest rates.

But this involves the whole credit structure of the intermediate credit banks. Those banks loaned more than \$5 billion last year. If this bill is not passed and if they are not able to sell their debentures on the 19th day of this month, they will not have the funds necessary to pay the debentures that come due in October. That is about \$300 million which will come due in October.

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UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
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POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

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HIGHLIGHTS: House passed foreign-aid appropriation bill. House received conference report on bill to authorize additional supergrade positions.

HOUSE

1. FOREIGN-AID APPROPRIATION BILL. Passed, 234-141, with amendments this bill, H. R. 17788. pp. 22297-338
2. SUPERGRADES. Received the conference report on S. 2393, to authorize 300 additional positions at GS-16, 17, and 18 (H. Rept. 2047). pp. 22338-9
3. SEA-GRANT COLLEGES. Conferees were appointed on H. R. 16559, to authorize sea-grant colleges and programs of education and research in marine

resources. Senate conferees have not been appointed. p. 22297

4. TRADE AGREEMENTS. Received the President's annual report on the trade agreements program (H. Doc. 499). pp. 22280, 22161
 5. CONSUMERS. Rep. Rosenthal spoke in favor of his bill, H. R. 7179, to establish a Department of Consumers, and inserted an article, "The Consumer and the Federal Trade Commission." pp. 22339-44
 6. INTEREST RATES. Rep. Patman said bank earnings are skyrocketing because of increased interest rates and that the small businessman is being hit hardest. pp. 22345-7
 7. FORESTRY. Rep. Don H. Clausen gave a salute to the American tree farm system program. pp. 22350-4
Received a report from the Comptroller General recommending controls over timber-cutting practices in the Pacific Northwest region of the Forest Service; to Government Operations Committee. p. 22420
 8. EXTENSION WORK. Rep. Langen commended the work of 4-H clubs. p. 22367
 9. RURAL DEVELOPMENT. Rep. Nelsen inserted an article criticizing the Department's handling of a rural-development application from West Rutland, Vt. pp. 22367-9
 10. GREEN THUMB PROJECT. Rep. Thompson, N.J., inserted and commended an article describing "Operation Green Thumb" for beautification of highways and parks. pp. 22401-2
 11. TEXTILE IMPORTS. Rep. Whitener inserted a statement requesting relief from textile imports. pp. 22407-8
 12. REDWOOD PARK. Rep. Cohelan inserted testimony in support of the proposed Redwood National Park. pp. 22410-19
- SENATE
13. SALT-WATER RESEARCH. The Interior and Insular Affairs Committee reported without amendment S. 3823, to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant (S. Rept. 1618). p. 22162
 14. RECLAMATION. The Interior and Insular Affairs Committee reported without amendment H. R. 9976, to provide compensation to owners of private land utilized for ditches or canals in connection with any reclamation project (S. Rept. 1619). p. 22162
 15. WATER RESOURCES. Concurred in the House amendment to S. 2287, to authorize a 5-year hydrologic study and investigation of the Delmarva Peninsula. This bill will now be sent to the President. p. 22269
 16. SCHOOL MILK. Sen. Proxmire urged action by the conferees on the child nutrition bill. p. 22169

INCREASING POSITIONS IN GS-16, 17, AND 18

SEPTEMBER 20, 1966.—Ordered to be printed

Mr. DULSKI, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany S. 2393]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following: *That (a) section 5108(a) of title 5, United States Code, is amended to read as follows:*

“(a) A majority of the Civil Service Commissioners may establish, and from time to time revise, the maximum numbers of positions (not to exceed an aggregate of 2,577, in addition to any professional engineering positions primarily concerned with research and development and professional positions in the physical and natural sciences and medicine which may be placed in these grades, and in addition to 240 hearing examiner positions under section 3105 of this title which may be placed in GS-16 and 9 such positions which may be placed in GS-17) which may be placed in GS-16, 17, and 18 at any one time. However, under this authority, not to exceed 25 percent of the aggregate number may be placed in GS-17 and not to exceed 12 percent of the aggregate number may be placed in GS-18. A position may be placed in GS-16, 17, or 18 only by action of, or after prior approval by, a majority of the Civil Service Commissioners.”

(b) Section 5108 (b) of such title is amended by inserting “(1)” immediately following the subsection designation, and by adding the following new paragraph:

“(2) In addition to the number of positions authorized by subsection (a) of this section and positions referred to in paragraph (1) of this subsection, the Librarian of Congress, subject to the procedures prescribed by this section, may place a total of 28 positions in the Library of Congress in GS-16, 17, and 18.”

(c) Section 5108(c)(1), relating to positions in GS-16, 17, and 18 for the General Accounting Office, is amended by striking out “39” and inserting in lieu thereof “64”.

(d) Section 5108(c)(2), relating to positions in GS-16, 17, and 18 for the Federal Bureau of Investigation, is amended by striking out “75” and inserting in lieu thereof “110”.

(e) The Act entitled “An Act to provide certain administrative authorities for the National Security Agency, and for other purposes”, approved May 29, 1959 (50 U.S.C. 402, note), as amended, is amended—

(1) by striking out, in section 2 thereof, “sixty-five such officers and employees” and inserting in lieu thereof “seventy such officers and employees”; and

(2) by striking out, in section 4 thereof, “sixty civilian positions” and inserting in lieu thereof “ninety civilian positions”.

(f) Section 3301 of title 39, United States Code, relating to personnel requirements of the postal field service, is amended by striking out “70 employees assigned to salary levels 18, 19, and 20” and inserting in lieu thereof “55 employees assigned to salary levels 19 and 20”.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same.

THADDEUS J. DULSKI,
DAVID N. HENDERSON,
H. R. GROSS,

Managers on the Part of the House.

MIKE MONRONEY,
RALPH YARBOROUGH,
JENNINGS RANDOLPH,
FRANK CARLSON,
HIRAM L. FONG,

Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2393) entitled "An Act to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965", submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate bill, which passed the Senate on September 1, 1965, amended section 505(b) of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), so as to increase the maximum number of positions in GS-16, GS-17, and GS-18 of the general schedule of such act allowable under such section 505(b) from 2,400 to 2,500 and further provided that 100 of such positions shall be available only for allocation, with the approval of the President, for agencies or functions created or substantially expanded after June 30, 1965.

The House amendments to the Senate bill struck out all after the enacting clause and inserted a substitute text and provided a new title for the bill.

With respect to the House amendment to the text of the Senate bill, the committee of conference recommends that the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment which is a substitute for both the text of the Senate bill and the text provided by the House amendment and that the House agree to the same.

Subsection (a) of the House amendment to the text of the Senate bill amended section 505(b) of the Classification Act of 1949 to the following effect:

First, the House version increased from 2,400 to 2,700 the maximum number of positions which may be placed at any one time in GS-16, GS-17, and GS-18 of the general schedule of such act.

Second, the House version removed certain limitations on the position allocation authority under section 505(b) by eliminating certain provisions which provided that—

(1) not to exceed 25 percent of such maximum number of positions may be placed in GS-17 and not to exceed 12 percent of such maximum number of positions may be placed in GS-18;

(2) 50 of such positions shall be available only for allocation, with the approval of the President, for agencies or functions created after the date of enactment of this provision;

(3) 14 of such positions shall be available only for allocation to the U.S. Arms Control and Disarmament Agency;

(4) six of such positions shall be available only for allocation to the Immigration and Naturalization Service, U.S. Department of Justice; and

(5) four of such positions shall be available only for allocation to the Federal Home Loan Bank Board.

The conference substitute increases such maximum number of positions from 2,400 to 2,577.

In addition, the conference substitute eliminates the existing limitations on the positions referred to in paragraphs (2), (3), (4), and (5), immediately above, with respect to the President, the U.S. Arms Control and Disarmament Agency, the Immigration and Naturalization Service, and the Federal Home Loan Bank Board, but retains the existing 25-percent limitation with respect to GS-17 and 12-percent limitation with respect to GS-18, referred to in paragraph (1) immediately above.

Subsection (b) of the House version amended section 505(c) of the Classification Act of 1949 to authorize the Librarian of Congress to place a total of 35 positions in the Library of Congress in GS-16, GS-17, and GS-18 of the general schedule of such act, in addition to the number of positions otherwise authorized by law to be placed in such grades but subject, however, to the procedures prescribed by section 505. Under the House version, it was contemplated that the actual increase in the number of positions for the Library of Congress in such grades would be 13 positions because of the legislative intent of the House that the existing number of such positions assigned or to be assigned to the Library by the U.S. Civil Service Commission under section 505(b)—that is, 22 positions—would henceforth be authorized for the Library under section 505(c), as amended by the House, leaving 13 additional positions to be filled by the Librarian of Congress under the new limitation of 35 positions for the Library proposed by the House.

The Senate version had no such provision for the Library of Congress.

Subsection (b) of the conference substitute proposes an authorization for the Library of Congress of a total of 28 positions in GS-16, GS-17, and GS-18 of the general schedule, subject, however, to the intent of the conference substitute that the existing number of positions in the Library assigned to GS-16, GS-17, and GS-18 by the U.S. Civil Service Commission under its general authority—that is, 22 positions—will henceforth be authorized for the Library out of the total of 28 positions authorized by the conference substitute, making a total of 6 additional positions for the Library under the conference substitute.

The above-mentioned 22 positions formerly allocated by the Civil Service Commission to the Library of Congress under section 505(b) of the Classification Act of 1949 will constitute a part of the maximum number of 2,577 positions authorized for future allocation by the Commission under section 5108(a) of title 5, United States Code, as set forth in the conference substitute.

Subsection (c) of the House version amended section 505(d) of the Classification Act of 1949 so as to increase from 39 to 70 the number of GS-16, GS-17, and GS-18 positions authorized for the General Accounting Office in addition to the number otherwise authorized to be allocated by law to such grades.

The Senate version contained no such provision.

Subsection (c) of the conference substitute amends section 5108(c)(1) of title 5, United States Code, so as to increase from 39 to 64 the number of GS-16, GS-17, and GS-18 positions authorized for the General Accounting Office in addition to the number otherwise

authorized to be allocated by law to such grades—an increase of 25 positions.

Subsection (d) of the House version amended section 505(e) of the Classification Act of 1949 to increase from 75 to 125 the number of positions for the Federal Bureau of Investigation of the Department of Justice in GS-16, GS-17, and GS-18, in addition to the number of positions otherwise authorized by law to be placed in such grades.

The Senate version contained no such provision.

Subsection (d) of the conference substitute amends section 5108(c) (2) of title 5, United States Code, so as to increase from 75 to 110 the number of positions for the Federal Bureau of Investigation of the Department of Justice in GS-16, GS-17, and GS-18, in addition to the number of positions otherwise authorized by law to be placed in such grades—an increase of 35 positions.

Subsection (e) of the House version amended sections 2 and 4 of the act of May 29, 1959 (50 U.S.C. 402, note), relating to additional positions of a GS-16, GS-17, and GS-18 level for the National Security Agency and additional positions of such level for the National Security Agency involving research and development functions with salaries not in excess of the maximum general schedule rate. Subsection (e)(1) of the House version increased from 65 to 75 the number of positions of the GS-16, GS-17, and GS-18 level for the National Security Agency. Subsection (e)(2) of the House version increased from 60 to 90 the number of positions for such agency involving research and development functions.

The Senate version contained no such provisions.

Subsection (e) of the conference substitute provides for the National Security Agency 5 additional positions of the GS-16, GS-17, and GS-18 level, and 30 additional positions involving research and development functions with salaries not in excess of the maximum general schedule rate.

Subsection (f) of the House version amended section 3301 of title 39, United States Code, which provides that the Postmaster General shall determine the personnel requirements of the postal field service and fix the number of supervisors and other employees in that service, with the exception that there may not be at any one time more than 1 assistant postmaster employed at any post office or a total of 70 employees assigned to salary levels 18, 19, and 20 in the postal field service.

Subsection (f) of the House version eliminated salary level 18 from the above limitation of 70 employees and, in effect, applied the limitation only to salary levels 19 and 20.

The Senate version contained no such provision.

Subsection (f) of the conference substitute, like the House version, removed salary level 18 from the employee limitation but reduced such limitation from 70 to 55 employees, thus providing, in effect, a limitation of 55 employees for salary levels 19 and 20 in the postal field service.

In addition to the foregoing substantive changes, the conference substitute makes certain technical changes which eliminate references to the Classification Act of 1949 and provide, in lieu thereof, references to the appropriate provisions of title 5, United States Code, recently enacted as positive law by Public Law 89-554.

With respect to the House amendment to the title of the Senate bill, the committee of conference recommends that the Senate recede from its disagreement to the amendment of the House and agree to the same in order to provide a title for the conference substitute which reflects the coverage of the conference substitute.

THADDEUS J. DULSKI,
DAVID N. HENDERSON,
H. R. GROSS,

Managers on the Part of the House.



Conte	Jones, N.C.	Rogers, Tex.
Corman	King, N.Y.	Roncallo
Davis, Ga.	Kluczynski	Roybal
Dorn	Landrum	Rumsfeld
Dulski	McEwen	Scott
Dyal	McMillan	Senner
Evans, Colo.	Machen	Sisk
Evins, Tenn.	Mackay	Stratton
Farbstein	Martin, Ala.	Tcague, Tex.
Fisher	Martin, Mass.	Thompson, N.J.
Fulton, Tenn.	Miller	Toll
Gibbons	Morrison	Tuten
Gray	Murray	Walker, Miss.
Hagan, Ga.	Passman	White, Idaho
Hanna	Purcell	Willis
Hicks	Randall	Wilson, Bob
Hungate	Reinecke	Wilson,
Johnson, Pa.	Robison	Charles H.

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Fisher for, with Mr. Farbstein against.
Mr. Hagan of Georgia for, with Mr. Stratton against.
Mr. Bob Wilson for, with Mr. Dyal against.
Mr. Walker of Mississippi for, with Mr. Adams against.
Mr. Reinecke for, with Mr. Roybal against.
Mr. Murray for, with Mr. Conte against.
Mr. Davis of Georgia for, with Mr. Aspinall against.
Mr. Ayres for, with Mr. Morse against.
Mr. Johnson of Pennsylvania for, with Mr. Sisk against.
Mr. King of New York for, with Mr. Hanna against.
Mr. McEwen for, with Mr. Gray against.
Mr. Carter for, with Mr. Thompson of New Jersey against.
Mr. Robison for, with Mr. Albert against.
Mr. Rumsfeld for, with Mr. Kluczynski against.
Mr. Callaway for, with Mr. Corman against.
Mr. Martin of Alabama for, with Mr. Cameron against.
Mr. Hungate for, with Mr. White of Idaho against.
Mr. Randall for, with Mr. Miller against.
Mr. Brown of California for, with Mr. Senner against.
Mr. Willis for, with Mr. Machen against.
Mr. Dulski for, with Mr. Mackay against.
Mr. McMillan for, with Mr. Charles H. Wilson against.
Mr. Jones of North Carolina for, with Mr. Evins of Tennessee against.
Mr. Teague of Texas for, with Mr. Hicks against.
Mr. Scott for, with Mr. Landrum against.
Mr. Tuten for, with Mr. Fulton of Tennessee against.
Mr. Dorn for, with Mr. Evans of Colorado against.
Mr. Rogers of Texas for, with Mr. Toll against.

Until further notice:

Mr. Gibbons with Mr. Roncallo.
Mr. Purcell with Mr. Morrison.

Mr. ROBERTS changed his vote from "nay" to "yea."

Mr. TEAGUE of California changed his vote from "nay" to "yea."

Mr. TUPPER changed his vote from "nay" to "yea."

Mr. MORSE. Mr. Speaker, I have a live pair with the gentleman from Ohio [Mr. Ayres]. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Chair recognizes the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Speaker, pursuant to the action just taken, I report the bill H.R. 17788 back to the House with an amendment which is at the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 13 following line 14, insert a new section as follows:

"SEC. 118. Notwithstanding any other provision of this Act, the aggregate total amount appropriated for Economic Assistance under Title I of this Act shall not exceed \$2,222,065,800."

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 234, nays 141, not voting 57, as follows:

[Roll No. 294]

YEAS—234

Addabbo	Feighan	Krogs
Anderson, Tenn.	Flood	Kunkel
Annunzio	Fogarty	Kupferman
Arends	Foley	Leggett
Ashley	Ford, Gerald R.	Long, Md.
Bandstra	Ford,	Love
Barrett	William D.	McCarthy
Bates	Fraser	McDade
Beckworth	Frelinghuysen	McDowell
Bel	Friedel	McFall
Bennett	Fulton, Pa.	McGrath
Bingham	Gallagher	McVicker
Blatnik	Garmatz	Macdonald
Boggs	Glaimo	MacGregor
Boland	Gibbons	Mackie
Bolton	Gilbert	Madden
Brademas	Gilligan	Mahon
Brooks	Gonzalez	Mallinard
Broomfield	Grabowski	Mathias
Burke	Green, Oreg.	Matsunaga
Burton, Calif.	Green, Pa.	Matthews
Byrne, Pa.	Grelgg	May
Cabell	Grider	Meeds
Cahill	Griffiths	Minish
Callan	Hagen, Calif.	Mink
Carcy	Halleck	Monagan
Celler	Halpern	Moorhead
Clark	Hamilton	Morgan
Cleveland	Hanley	Morse
Clevenger	Hansen, Iowa	Moss
Cohelan	Hansen, Wash.	Multer
Conable	Hardy	Murphy, Ill.
Conyers	Hathaway	Murphy, N.Y.
Cooley	Hawkins	Natcher
Corbett	Hays	Nedzi
Craley	Hébert	Nix
Culver	Hechler	O'Brien
Daddario	Helstoski	O'Hara, Ill.
Daniels	Herlong	O'Hara, Mich.
Dawson	Hollifield	Olsen, Mont.
Delaney	Holland	Olson, Minn.
Dent	Horton	O'Neill, Mass.
Denton	Hosmer	Ottinger
Diggs	Howard	Passman
Dingell	Huot	Patman
Donohue	Irwin	Patten
Dow	Jacobs	Pelly
Downing	Joelson	Pepper
Dulski	Johnson, Calif.	Perkins
Duncan, Oreg.	Jones, Ala.	Philbin
Dwyer	Karsten	Pickle
Edmondson	Karthy	Pike
Edwards, Calif.	Kastenmeier	Pirnie
Edwards, La.	Kee	Powell
Erlenborn	Keith	Price
Fallon	Kelly	Pucinski
Farnsley	Keogh	Qule
Farnum	King, Calif.	Rees
Fascell	King, Utah	Reid, N.Y.
	Kirwan	Resnick

Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Ryan
St. Onge
Scheuer
Schisler
Schmidhauser
Schwelker
Selden

Sickles
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stalbaum
Stubblefield
Sullivan
Sweeney
Teague, Calif.
Teague, Tex.
Tenzer
Thomas
Thompson, Tex.
Todd
Trimble
Turney

Tupper
Udall
Ullman
Van Deeren
Vanik
Vigorito
Vivian
Waldie
Watts
Weltner
White, Tex.
Widnall
Wolf
Wright
Wylder
Yates
Young
Zablocki

NAYS—141

Abbott
Abernethy
Adair
Anderson, Ill.
Andrews,
George W.
Andrews,
Glenn
Andrews,
N. Dak.
Ashbrook
Ashmore
Baring
Battin
Belcher
Berry
Betts
Bow
Bray
Brock
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clausen,
Don H.
Clawson, Del.
Collier
Colmer
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
de la Garza
Derwinski
Devine
Dickinson
Dole

Dowdy
Duncan, Tenn.
Edwards, Ala.
Ellsworth
Everett
Findley
Fino
Flynt
Fountain
Fuqua
Gathings
Gettys
Goodell
Gross
Grover
Gubser
Gurney
Haley
Hall
Hansen, Idaho
Harsha
Harvey, Ind.
Harvey, Mich.
Henderson
Hull
Hutchinson
Ichord
Jarman
Jennings
Johnson, Okla.
Jonas
Jones, Mo.
Kornegay
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
Marsh
Martin, Nebr.
Michel
Mills
Minshall
Mize
Moeller
Moore

Morris
Morton
Mosher
Murray
Nelsen
O'Konski
O'Neal, Ga.
Poage
Poff
Pool
Quillen
Race
Redlin
Reid, Ill.
Reifel
Rhodes, Ariz.
Rogers, Fla.
Roudebush
Roush
Satterfield
Saylor
Schneebell
Secrest
Shipley
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, Va.
Stanton
Steed
Stephens
Talcott
Taylor
Thomson, Wis.
Tuck
Tuten
Utt
Waggoner
Walker, N. Mex.
Watkins
Watson
Whalley
Whitener
Whitten
Williams
Wyatt
Younger

NOT VOTING—57

Adams
Albert
Aspinall
Ayres
Bolling
Brown, Calif.
Callaway
Cameron
Carter
Conte
Corman
Davis, Ga.
Dorn
Dyal
Evans, Colo.
Evins, Tenn.
Farbstein
Fisher
Fulton, Tenn.
Gray

Hagan, Ga.
Hanna
Hicks
Hungate
Johnson, Pa.
Jones, N.C.
King, N.Y.
Kluczynski
Landrum
McEwen
McMillan
Machen
Mackay
Martin, Ala.
Martin, Mass.
Miller
Morrison
Purcell
Randall
Reinecke

Robison
Rogers, Tex.
Roncallo
Roybal
Rumsfeld
St Germain
Scott
Senner
Sisk
Stratton
Thompson, N.J.
Toll
Walker, Miss.
White, Idaho
Willis
Wilson, Bob
Wilson,
Charles H.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Albert for, with Mr. Fisher against.
Mr. Farbstein for, with Mr. Hagan of Georgia against.

Mr. EVINS of Tennessee for, with Mr. Davis of Georgia against.
 Mr. Conte for, with Mr. Hungate against.
 Mr. Ayres for, with Mr. Randail against.
 Mr. Kluczynski for, with Mr. Brown of California against.
 Mr. Miller for, with Mr. Willis against.
 Mr. Robison for, with Mr. McMillian against.
 Mr. Martin of Massachusetts for, with Mr. Jones of North Carolina against.
 Mr. Aspinall for, with Mr. Scott against.
 Mr. Gray for, with Mr. Dorn against.
 Mr. Mackay for, with Mr. Rogers of Texas against.
 Mr. Senner for, with Mr. King of New York against.
 Mr. Adams for, with Mr. Bob Wilson against.
 Mr. Dyal for, with Mr. Carter against.
 Mr. Fulton of Tennessee for, with Mr. Johnson of Pennsylvania against.
 Mr. Machen for, with Mr. McEwen against.
 Mr. Stratton for, with Mr. Rumsfeld against.
 Mr. Thompson of New Jersey for, with Mr. Walker of Mississippi against.
 Mr. Hicks for, with Mr. Reinecke against.
 Mr. Cameron for, with Mr. Martin of Alabama against.
 Mr. Charles H. Wilson for, with Mr. Calaway against.

Until further notice:

Mr. Purcell with Mr. Hanna.
 Mr. White of Idaho with Mr. Sisk.
 Mr. St Germain with Mr. Roybal.
 Mr. Corman with Mr. Roncalio.
 Mr. Landrum with Mr. Evans of Colorado.
 Mr. Morrison with Mr. Toll.

Mr. LAIRD changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

INCREASING POSITIONS IN GS-16, GS-17, AND GS-18

Mr. OLSEN of Montana (on behalf of Mr. DULSKI) submitted the following conference report and statement on the bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965:

CONFERENCE REPORT (H. REPT. No. 2047)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That (a) section 5108(a) of title 5, United States Code, is amended to read as follows:

"(a) A majority of the Civil Service Commissioners may establish, and from time to time revise, the maximum numbers of positions (not to exceed an aggregate of 2,577, in addition to any professional engineering positions primarily concerned with research and development and professional positions in the physical and natural sciences and medicine which may be placed in these grades, and in addition to 240 hearing examiner positions under section 3105 of this title which may be placed in GS-16 and 9 such positions which may be placed in GS-17) which may be placed in GS-16, 17, and 18 at any one time. However, under this authority, not to exceed 25 percent of the aggregate number may be placed in GS-17 and not to exceed 12 percent of the aggregate number may be placed in GS-18. A position may be placed in GS-16, 17, or 18 only by action of, or after prior approval by, a majority of the Civil Service Commissioners."

"(b) Section 5108(b) of such title is amended by inserting '(1)' immediately following the subsection designation, and by adding the following new paragraph:

"(2) In addition to the number of positions authorized by subsection (a) of this section and positions referred to in paragraph (1) of this subsection, the Librarian of Congress, subject to the procedures prescribed by this section, may place a total of 28 positions in the Library of Congress in GS-16, 17, and 18."

"(c) Section 5108(c) (1), relating to positions in GS-16, 17, and 18 for the General Accounting Office, is amended by striking out '39' and inserting in lieu thereof '64'."

"(d) Section 5108(c) (2), relating to positions in GS-16, 17, and 18 for the Federal Bureau of Investigation, is amended by striking out '75' and inserting in lieu thereof '110'."

"(e) The Act entitled 'An Act to provide certain administrative authorities for the National Security Agency, and for other purposes', approved May 29, 1959 (50 U.S.C. 402, note), as amended, is amended—

"(1) by striking out, in section 2 thereof, 'sixty-five such officers and employees' and inserting in lieu thereof 'seventy such officers and employees'; and

"(2) by striking out, in section 4 thereof, 'sixty civilian positions' and inserting in lieu thereof 'ninety civilian positions'."

"(f) Section 3301 of title 39, United States Code, relating to personnel requirements of the postal field service, is amended by striking out '70 employees assigned to salary levels 18, 19, and 20' and inserting in lieu thereof '55 employees assigned to salary levels 19 and 20'."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same.

THADDEUS J. DULSKI,
 DAVID N. HENDERSON,
 H. R. GROSS,

Managers on the Part of the House.

MIKE MONRONEY,
 RALPH YARBOROUGH,
 JENNINGS RANDOLPH,
 FRANK CARLSON,
 HIRAM L. FONG,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2393) entitled "An Act to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965", submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate bill, which passed the Senate on September 1, 1965, amended section

505(b) of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), so as to increase the maximum number of positions in GS-16, GS-17, and GS-18 of the General Schedule of such Act allowable under such section 505(b) from 2,400 to 2,500 and further provided that 100 of such positions shall be available only for allocation, with the approval of the President, for agencies or functions created or substantially expanded after June 30, 1965.

The House amendments to the Senate bill struck out all after the enacting clause and inserted a substitute text and provided a new title for the bill.

With respect to the House amendment to the text of the Senate bill, the committee of conference recommends that the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment which is a substitute for both the text of the Senate bill and the text provided by the House amendment and that the House agree to the same.

Subsection (a) of the House amendment to the text of the Senate bill amended section 505(b) of the Classification Act of 1949 to the following effect:

First, the House version increased from 2,400 to 2,700 the maximum number of positions which may be placed at any one time in GS-16, GS-17, and GS-18 of the General Schedule of such Act.

Second, the House version removed certain limitations on the position allocation authority under section 505(b) by eliminating certain provisions which provided that—

"(1) not to exceed 25 per centum of such maximum number of positions may be placed in GS-17 and not to exceed 12 per centum of such maximum number of positions may be placed in GS-18;

"(2) fifty of such positions shall be available only for allocation, with the approval of the President, for agencies or functions created after the date of enactment of this provision;

"(3) fourteen of such positions shall be available only for allocation to the United States Arms Control and Disarmament Agency;

"(4) six of such positions shall be available only for allocation to the Immigration and Naturalization Service, United States Department of Justice; and

"(5) four of such positions shall be available only for allocation to the Federal Home Loan Bank Board."

The conference substitute increases such maximum number of positions from 2,400 to 2,577.

In addition, the conference substitute eliminates the existing limitations on the positions referred to in paragraphs (2), (3), (4), and (5), immediately above, with respect to the President, the United States Arms Control and Disarmament Agency, the Immigration and Naturalization Service, and the Federal Home Loan Bank Board, but retains the existing 25 per centum limitation with respect to GS-17 and 12 per centum limitation with respect to GS-18, referred to in paragraph (1) immediately above.

Subsection (b) of the House version amended section 505(c) of the Classification Act of 1949 to authorize the Librarian of Congress to place a total of 35 positions in the Library of Congress in GS-16, GS-17, and GS-18 of the General Schedule of such Act, in addition to the number of positions otherwise authorized by law to be placed in such grades but subject, however, to the procedures prescribed by section 505. Under the House version, it was contemplated that the actual increase in the number of positions for the Library of Congress in such grades would be 13 positions because of the legislative intent of the House that the existing number of such positions assigned or to be assigned to the Library by the United

States Civil Service Commission under section 505(b)—that is, 22 positions—would henceforth be authorized for the Library under section 505(c), as amended by the House, leaving 13 additional positions to be filled by the Librarian of Congress under the new limitation of 35 positions for the Library proposed by the House.

The Senate version had no such provision for the Library of Congress.

Subsection (b) of the conference substitute proposes an authorization for the Library of Congress of a total of 28 positions in GS-16, GS-17, and GS-18 of the General Schedule, subject, however, to the intent of the conference substitute that the existing number of positions in the Library assigned to GS-16, GS-17, and GS-18 by the United States Civil Service Commission under its general authority—that is, 22 positions—will henceforth be authorized for the Library out of the total of 28 positions authorized by the conference substitute, making a total of 6 additional positions for the Library under the conference substitute.

The above-mentioned 22 positions formerly allocated by the Civil Service Commission to the Library of Congress under section 505(b) of the Classification Act of 1949 will constitute a part of the maximum number of 2577 positions authorized for future allocation by the Commission under section 5108(a) of title 5, United States Code, as set forth in the conference substitute.

Subsection (c) of the House version amended section 505(d) of the Classification Act of 1949 so as to increase from 39 to 70 the number of GS-16, GS-17, and GS-18 positions authorized for the General Accounting Office in addition to the number otherwise authorized to be allocated by law to such grades.

The Senate version contained no such provision.

Subsection (c) of the conference substitute amends section 5108(c)(1) of title 5, United States Code, so as to increase from 39 to 64 the number of GS-16, GS-17, and GS-18 positions authorized for the General Accounting Office in addition to the number otherwise authorized to be allocated by law to such grades—an increase of 25 positions.

Subsection (d) of the House version amended section 505(e) of the Classification Act of 1949 to increase from 75 to 125 the number of positions for the Federal Bureau of Investigation of the Department of Justice in GS-16, GS-17, and GS-18, in addition to the number of positions otherwise authorized by law to be placed in such grades.

The Senate version contained no such provision.

Subsection (d) of the conference substitute amends section 5108(c)(2) of title 5, United States Code, so as to increase from 75 to 110 the number of positions for the Federal Bureau of Investigation of the Department of Justice in GS-16, GS-17, and GS-18, in addition to the number of positions otherwise authorized by law to be placed in such grades—an increase of 35 positions.

Subsection (e) of the House version amended sections 2 and 4 of the Act of May 29, 1959 (50 U.S.C. 402, note), relating to additional positions of a GS-16, GS-17, and GS-18 level for the National Security Agency and additional positions of such level for the National Security Agency involving research and development functions with salaries not in excess of the maximum General Schedule rate. Subsection (e)(1) of the House version increased from 65 to 75 the number of positions of the GS-16, GS-17, and GS-18 level for the National Security Agency. Subsection (e)(2) of the House version increased from 60 to 90 the number of positions for such agency involving research and development functions.

The Senate version contained no such provisions.

Subsection (e) of the conference substitute provides for the National Security Agency 5 additional positions of the GS-16, GS-17, and GS-18 level, and 30 additional positions involving research and development functions with salaries not in excess of the maximum General Schedule rate.

Subsection (f) of the House version amended section 3301 of title 39, United States Code, which provides that the Postmaster General shall determine the personnel requirements of the postal field service and fix the number of supervisors and other employees in that service, with the exception that there may not be at any one time more than one assistant postmaster employed at any post office or a total of 70 employees assigned to salary levels 18, 19, and 20 in the postal field service.

Subsection (f) of the House version eliminated salary level 18 from the above limitation of 70 employees and, in effect, applied the limitation only to salary levels 19 and 20.

The Senate version contained no such provision.

Subsection (f) of the conference substitute, like the House version, removed salary level 18 from the employee limitation but reduced such limitation from 70 to 55 employees, thus providing, in effect, a limitation of 55 employees for salary levels 19 and 20 in the postal field service.

In addition to the foregoing substantive changes, the conference substitute makes certain technical changes which eliminate references to the Classification Act of 1949 and provide, in lieu thereof, references to the appropriate provisions of title 5, United States Code, recently enacted as positive law by Public Law 89-554.

With respect to the House amendment to the title of the Senate bill, the committee of conference recommends that the Senate recede from its disagreement to the amendment of the House and agree to the same in order to provide a title for the conference substitute which reflects the coverage of the conference substitute.

THADDEUS J. DULSKI,
DAVID N. HENDERSON,
H. R. GROSS,

Managers on the Part of the House.

THE CONSUMER AND THE FEDERAL TRADE COMMISSION

(Mr. ROSENTHAL asked and was given permission to extend his remarks at this point in the Record and to include an article.)

Mr. ROSENTHAL. Mr. Speaker, over the past several years I have devoted considerable time and energy to the proposal to establish a Department of Consumers. My bill, H.R. 7179, which is currently pending before the Committee on Government Operations, would give to the American consumer an effective voice within the Federal Government, at the Cabinet level.

The Department would be commissioned to protect and promote the interests of the people of the United States as consumers of goods and services made available to them through the trade and commerce of the United States. At the present time, Federal consumer protection activities are distributed among 33 departments and agencies of the Government. My bill is not to be interpreted as an indictment of current practices within these Federal offices, but I do believe the meaningful question to ask is whether the consumer protection activities of the Federal Government are, on the whole, efficient and effective.

The committee has referred my bill to the Executive and Legislative Reorganization Subcommittee, which has already held several hearings on the same—in Washington on April 19, and again on August 15 and 16; and in New York City on April 29.

At the August 16 hearings, Prof. Daniel J. Baum, formerly associated with the Federal Trade Commission, and now a professor of law at Indiana University School of Law, testified. He had done particular research into representation of the consumer interest before the Federal regulatory agencies, and recently authored an article on "The Consumer and the Federal Trade Commission." His article merits our serious consideration, and I am taking the liberty of including it in the Record at this point:

THE CONSUMER AND THE FEDERAL TRADE COMMISSION

(By Daniel Jay Baum, professor, School of Law, Indiana University; B.A., LL.B., University of Cincinnati; LL.M., J.S.D., New York University)

I

The poor as an emerging political force, reflected in the war on poverty, have given context and strength to the otherwise diffused interests of the consumer.¹ Nowhere

¹ Representative BENJAMIN ROSENTHAL (D. N.Y.) summed up rather well the plight of the consumer. Hearings on H.R. 7179 before a Subcommittee of the House Committee on Government Operations, 89th Cong. 2d Sess. 31-32 (1965), hereafter referred to as Consumer Hearings. Mr. Rosenthal said: "The reduced influence of the American consumer has a complex origin. To begin with, we now have, in this country, a disproportionate influence exercised by producer groups over economic policy. It is, of course, natural that such groups should organize and finance powerful lobbies. Equally proper is their representation by Cabinet-level Departments—Agriculture, Commerce, Labor, and perhaps, Transportation. What troubles many of us, however, is the absence of any equivalent and countervailing political power for the consumer. It is no secret that the consumer interest and the producer interest are often in conflict. In the past 10 years, there has been considerable legislative study and documentation of that record. But where each group is assumed to pursue self-interest, and where there is an equitable distribution of power among these groups, we have reason to start asking basic questions about our economic institutions . . ."

"We all know the effect of special interest groups on policymaking and administration. I am speaking now of pressure we designate as proper or inevitable. But just how well organized is the consumer acting in his own interest? How many consumer groups direct effective communication campaigns to Congress? How many groups do we hear of as being active in the inevitable behind-the-scenes discussions which precede major economic decisions? How often do we get studies of consumer needs under the auspices of the Government? And isn't it usually only in the case of blatant fraud that we get organized initiative and exposure for the consumer point of view?"

"In traditional terms, the regulatory agencies are intended to be the real agents of the consumer interest in our Government. Yet they too have fallen victim to changes in the distribution of political power exercised by economic groups. Any study . . . of regulatory agencies will reveal their preoccupation with settling the conflicting claims of rival producers. The Interstate Commerce Commission mediates a dispute be-

is this better reflected than in the renewed proposal to establish a Federal Department of Consumers,² a cabinet-level office where consumers may find self-awareness through institutional representation.³ In 1959 the late Senator Kefauver introduced a bill to achieve the same end. It found some support; it generated interesting discussion; and, it was never brought to a vote.⁴ In 1965 Congressman BENJAMIN ROSENTHAL of New York City, citing the plight of the consumer in relation to the producer, emphasizing the role of the poor as consumers, reintroduced the Kefauver proposal.⁵

Appropriately, the first hearings were held in New York City. Not representatives of business, but rather those of consumer groups appeared as the first witnesses.⁶ Somewhat more significant than either the testimony of Consumers Union or Wisconsin's Attorney General⁷ was that of the National Urban League. Said its director, Cernoria D. Johnson:

tween railroads and trucks. The Civil Aeronautics Board adjudicates the claims of large certified carriers and smaller airlines. The Federal Communications Commission referees the battle of the networks or the rivalries of television and radio. The Federal Power Commission is caught between gas producers and public utility companies. And the Tariff Commission must arbitrate free trade and protectionist squabbles.

"Where is the consumer in all of this? More often than not, he is the lowest common denominator in a process which has been carried out in his name though not in his presence.

"He can, of course, look to the Federal Government for support. And, in many cases, he receives it. But there, too, representation of the consumer is distributed through something like 33 agencies and departments.

"The situation is further complicated by the consumer's difficulty in organizing on his own behalf. The simple fact is that consumers have not, do not, and apparently will not look upon themselves as a distinct group which can either profit or suffer by various economic policies and procedures. In many circumstances this position becomes particularly poignant, as in the case of economically disadvantaged consumers who are often subjected to brutally unfair trade and commercial practices. Their power to react to such practices is reduced by their failure to think of themselves as a distinct bloc. Nor is there any easy outlet for such grievances" . . .

² H.R. 7179, 89th Cong. 1st Sess., 1965 was introduced by MR. ROSENTHAL. For reasons later stated the essence of the bill is set forth in note 24, *infra*. The late Senator Kefauver, as Senator JAVRS noted, several years before had introduced a similar bill. Consumer Hearings, *supra* note 1 at 134.

³ *Id.* at 31.

⁴ *Id.* at 134.

⁵ At least four of the witnesses called devoted their remarks entirely to the poor as consumers. Much of what they said is distilled in the text.

⁶ Not a single "business interest" witness was called. This was a hearing solely for the consumer. From Wisconsin and New York, consumer-minded states, came statements from the attorney general. From the AFL-CIO came the legislative representative and the research economist. The list of witnesses, 16 in number, was not long, but they all spoke for the consumer. This was not to deny business access to the record, however. Statements from such organizations as the Chamber of Commerce of the United States were incorporated. See, Consumer Hearings, *supra* note 1 at 200.

⁷ Consumer Hearings, *supra* note 1 at 36, 83.

"Naturally, the Negro, who is the league's primary concern as it works in the interest of all, becomes the greater victim. Therefore, let us view the need for better controls and protection of consumer interest from this lower vantage point in our society. We are talking about a group of people 60 percent of whom have a family income under \$3,000; 75 percent have a family income under \$4,000. For instance, in cities like Chicago, 85 percent of the welfare caseload happens to be Negroes though they certainly don't represent much more than 22 percent of the population. In Detroit, 60 percent of the unemployed happen to be Negro citizens.

"Thanks to poor education, they may not be able to read labels or advertisements. They lack the training which would lead to comparison shopping, price comparison, and the effective questioning of the practices of retail purveyors. Bound to local neighborhoods, they do not travel in search of better bargains, nor are they exposed to information such as newspaper advertisements which would inform them of the possibility of better bargains. Compensating for lack of achievement, they oftentimes aspire to consume highly visible status-giving goods, and so become susceptible to fraudulent or high-powered advertising, with consequent entanglement in heavy installment debts, legal entanglements, and repossession claims.

"Lacking the ability to consume wisely, the impoverished are subject to a variety of exploitative forces. Retail goods are marked up in price, often to higher levels than in more affluent communities. Unlabeled and outdated merchandise is sold to purchasers who do not exercise quality control.⁸

From the poor has come a response: There is an unwillingness to abide any longer a situation that finds the poor in the nation's capital paying more than those living in affluent suburbia and receiving in return shoddy merchandise.⁹ The Office of Economic Opportunity has funded programs for consumer education recognizing and trying

⁸ *Id.* at 114.

⁹ *Id.* at 116. Yet, fairness demands that this generalization be qualified. Following the 1966 riots in Cleveland, Ohio, I interviewed executives in a well-known firm of certified public accountants who serviced many of the "ghetto" stores. Economics, they told me, forced some of the increases in prices. The poor, by way of example, ask not for cartons of a dozen or even a half dozen eggs, but rather for three eggs. This involves added expense. Moreover, the "ghetto" stores have a significantly higher incidence of shop-lifting than those of suburbia. The businessman must make up the loss not only through direct price increases, but also indirectly through employment of guards. Because of the confidential nature of the interview neither the firm nor its location can be identified.

Congressman WYDLER (R. N.Y.), member of the subcommittee, noted: "Many of us have suffered in one way or another through our inability to be properly informed. But, without question the poor are the ones who suffer the most from such practices. And, their suffering does not result merely in chagrin or inconvenience. Since the average family, earning \$3,000 or less a year, pays one-third of its money on food and other large proportions on clothing and consumer products—the latter frequently on installment plans—we come to realize that false and misleading practices can cause them physical and mental hardship. Because of lack of education, shopping skills, and bargain stores, the poor are not only more likely to be taken advantage of but actually forced to pay more for their merchandise than people in middle income areas". *Id.* at 121.

to do something about the fact that the poor always pay more."¹⁰ Out of this federal program have come specific projects. Consider by way of example the activities in New York City of Bedford-Stuyvesant Youth-In-Action, Inc., a consumer education and action antipoverty agency.¹¹

Eighty consumer aids, poor themselves, were trained to survey neighborhood prices and pass on the information gathered to the residents. What they found was revealing. There were meaningful price fluctuations on the 1st and 16th of each month, "which coincides with the delivery dates of regular welfare checks".¹² Of 50 items checked (evidently food staples) increases of 2 to 15 cents for this period were found in 27 items.¹³ The checking and sifting of complaints by the eighty consumer aids has demonstrated that the consumer, particularly the poor, is not a sophisticate, but often ignorant of the very terms of an agreement.

"Mrs. APONTE (of Youth-In-Action, Inc.). Well, the experience I have had is that, for example, when you are dealing with the Negro that is coming from the South—that is, the uneducated Negro—as well as the Puerto Rican, the main problem is the language barrier. You can see that when a merchant or a salesman knocks on the door. And because of their traditionalistic patterns of behavior, they send the man in, and they are more receptive because, let's say, their alertness to the city life is not so as the educated consumer.

"For example, we have found cases wherein a person signs a contract for some high-cost durables like, for example, a bedroom suite without knowing what he is signing for.

"In many cases, especially when you have Spanish names, a Mr. Juan Perez lives in apartment No. 5 and another Mrs. Juan Perez, lives in apartment No. 3. You have installment contracts signed by one person and the garnishee received by the other person.

"Mr. ROSENTHAL. And what does the other person who gets the garnishee do about it?

"Mrs. APONTE. The other person that gets the garnishee—that is the problem—does not know, because he is ignorant of the law and of his rights."¹⁴

Out of such antipoverty groups as Youth-In-Action, Inc., particularized experience has allowed for problems to be articulated and generalized, a mighty first step in framing curative legislation. So it was that the director of the Harlem Consumer Education Council cited some of the problems the people of Harlem have to live with every day:

"1. Consumer frauds: (a) Misrepresentation of quality of merchandise; (b) Excess credit and carrying (other than credit) charges; (c) Undue sales pressure; (d) Deception in sales pricing; (e) Violations of due process of law.

"(1) Default judgment.

"(2) Service of summons (commonly known in the poor as sewer service).

"2. Deception and false advertising as the poor know it: (a) Misleading advertising; (b) Bait advertising; (c) Special appeals to minority groups in low income brackets; (d) Deceptive labeling; (e) Inferior food."¹⁵

The force of the urban poor has been felt by their representatives in Congress, of both

¹⁰ Testimony of Senator ROBERT KENNEDY, *id.* at 125.

¹¹ *Id.* at 173.

¹² *Id.* at 174.

¹³ *Id.* at 174-75. For further examples see, *id.* at 182.

¹⁴ *Id.* at 175.

¹⁵ *Id.* at 180. The director continued, "In fact, do you know that on 125th Street, there is a price for blacks and a price for whites; and this is not so only in Harlem but practically everywhere in New York City, when a black or Puerto Rican appears". *Ibid.*

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

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HIGHLIGHTS: House received conference report on child nutrition bill. Senate committee voted to report bills to authorize rural-renewal loans for recreation, revise Seed Act, and permit holding of prepayments of FHA loans. Sen. Jordan announced hearings on revised Aiken bill to prevent handlers from treating cooperatives unfairly. House agreed to conference report on bill to authorize additional supergrade positions. Rep. Callaway criticized USDA announcement of regulation change re withdrawal of certain inspection services.

SENATE

1. LOANS; SEEDS. The Agriculture and Forestry Committee voted to report (but did not actually report) S. 688, to authorize rural-renewal loans for recreation and to non-profit organizations; H. R. 15662, to revise the Federal Seed Act; and H. R. 15510, to permit the Department to hold prepayments to the Farmers Home Administration on loans. p. D900
2. COOPERATIVES. Sen. Aiken submitted an amendment which he intends to propose as a substitute for S. 109, to prevent handlers from treating cooperatives

unfairly. The amendment was printed in the Record. Sen. Jordan announced that hearings will be held Sept. 28. pp. 22632, 22633-4

3. BUILDINGS. Passed as reported H. R. 14019, to authorize additional appropriations for Government buildings in foreign countries. pp. 22562-4
4. MINERALS. Passed as reported S. 3485, to establish standards for determining whether a particular amendment is a common variety under the Common Varieties Act and therefore subject to leasing. pp. 22564-6
5. CHILD NUTRITION. Sen. Proxmire expressed satisfaction at legislative progress of the child nutrition bill. p. 22592
6. CONGRESSIONAL REORGANIZATION. The Special Committee on the Organization of Congress reported the ³⁸⁴⁸Proposed Legislative Reorganization Act of 1966 (S. Rept. 1629). Sen. Monroney said: "It enlarges the role of the General Accounting Office in making a greater variety of budgetary data--suitable for computer programming--available to all Members and by providing expert staff assistance in GAO to be on call by the standing committees to assist in modern program evaluation techniques. It provides for more frequent budget updating and more long-range projections of continuing programs. It requires an analysis of the budgetary consequences of new legislation by the legislative committees. It recommends a more open, output oriented appropriations review... It attempts to rationalize congressional scheduling by providing for an August recess period in the event the business of the session has not been concluded by the legal adjournment date of July 31." pp. 22656-8
7. SALT-WATER RESEARCH. Passed without amendment S. 3823, to authorize the Interior Department to participate in construction and operation of a large prototype desalting plant. pp. 22667-70
8. JOB CORPS. Sen. Dominick criticized administration of the Job Corps program. pp. 22670-4
9. FOREIGN AID. Passed without amendment S. J. Res. 194, to authorize the President to designate Oct. 31 of each year as National UNICEF Day. p. 22628
10. LEGISLATIVE PROGRAM. Sen. Mansfield stated his hope that the Labor-HEW appropriation bill will be reported today, in which event it is to be considered tomorrow, September 23; and that, if reported this week, the bill to establish a Department of Transportation, and the health and education bills, will be considered next week. p. 22620

HOUSE

11. SUPERGRADES. Agreed to the conference report on S. 2393, to authorize 300 additional positions at GS-16, 17, and 18. p. 22424
12. AWARDS. The Foreign Affairs Committee reported S. 2463, to grant the consent of the Congress to acceptance of certain gifts and decorations from foreign governments (H. Rept. 2052). p. 22559
13. CHILD NUTRITION. Received the conference report on S. 3467, the child nutrition bill (H. Rept. 2063). The conferees accepted the bill as passed by the house (for provisions see Digest 110) with the exception of House amendments



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No. 160

House of Representatives

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

O give thanks unto the Lord, for He is good: for His mercy endureth forever.—Psalm 107: 1.

Eternal God, our Father, who are the source of wisdom and beauty and goodness, whose spirit ever seeks to arise within our hearts and in the hearts of men everywhere—make Thyself known to us as we bow in prayer before Thee. We thank Thee that Thou art everywhere—that no condition and no distance can ever separate us from Thee and from Thy love. We thank Thee that Thy mercies never fail and Thy loving kindness never ceases. We are grateful for our lives which are in Thy hands and for Thy continuous goodness which blesses us all our days. Help us to be worthy of Thy gifts and to use them for Thy glory and for the welfare of our Nation and of our world. Grant that each one of us may do our part to bring about, on these shores, an order of society in which there will be no injustice, no bitterness of spirit, and one in which each person may come to the fullness of life for which he was made, through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 2287. An act to authorize a 5-year hydrologic study and investigation of the Delmarva Peninsula.

The message also announced that the Senate had passed a bill of the following title, in which concurrence of the House is requested:

S. 3553. An act for the relief of Mrs. Mary T. Brooks.

ADDITIONAL PROGRAM FOR THE BALANCE OF THE WEEK

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I ask for this time for the purpose of inquiring of the distinguished gentleman from Louisiana as to the program for today and the rest of the week.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I am glad to yield to the gentleman.

Mr. BOGGS. Mr. Speaker, in response to the distinguished minority leader, today we hope to finish the Public Works Appropriations Act, which will be called up immediately. After we dispose of that bill, we hope to finish the Reserve bill, which is on the calendar for today. On tomorrow we will call up the Chamizal Memorial Highway bill and we plan to add two bills to the program for tomorrow: first, H.R. 13825, to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes, and H.R. 12047, to amend the Internal Security Act of 1950.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Louisiana tell the Members from what committee does the former bill come?

Mr. BOGGS. The former bill comes from the Committee on Foreign Affairs.

Mr. GERALD R. FORD. Is it the intention of the leadership to finish this schedule tomorrow or Friday, or what do you hope and anticipate?

Mr. BOGGS. We hope to finish this schedule by tomorrow night. If we do, we hope to go over until Monday.

Mr. GERALD R. FORD. When will the schedule for next week be announced? Tomorrow?

Mr. BOGGS. Sometime tomorrow afternoon.

CALL OF THE HOUSE

Mr. YATES. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 295]

Adams	Ford,	Murray
Albert	William D.	O'Brien
Andrews,	Goodell	O'Konski
Glenn	Gray	Patten
Aspinall	Hagan, Ga.	Powell
Bolling	Hanna	Purcell
Callaway	Hansen, Idaho	Race
Cameron	Hungate	Rees
Carter	Johnson, Okla.	Reinecke
Casey	King, N.Y.	Rogers, Tex.
Conte	Kluczynski	Roncallo
Conyers	Long, Md.	Roybal
Corman	McDade	Rumsfeld
Davis, Ga.	McEwen	St Germain
Dorn	McMillan	Senner
Dyal	Mackay	Sickles
Edmondson	Martin, Ala.	Stratton
Ellsworth	Martin, Mass.	Teague, Tex.
Evans, Colo.	Mathias	Toll
Farbstein	Matsunaga	Watts
Farnsley	Miller	Willis
Fisher	Morrison	Wilson, Bob
Flood	Morton	

The SPEAKER. On this rollcall, 366 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CORRECTION OF ROLL CALL

Mr. FOUNTAIN. Mr. Speaker, on rollcall No. 291 on yesterday I am recorded as being absent. I was present and answered to my name. I ask unanimous consent that the permanent Record and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

DISCUSSION OF REPUBLICAN PROPOSALS ON CONGRESSIONAL REORGANIZATION

(Mr. CURTIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CURTIS. Mr. Speaker, I have a special order today for 1 hour to discuss the Republican proposals on congressional reorganization. Congressmen DURWARD HALL, JAMES CLEVELAND, and I will start off on the basis of our joint findings in the congressional reorganization report. Today I have introduced in the House enabling legislation, H.R. 17873, which is an identical bill to one being introduced by Senator MONRONEY, the chairman of this joint committee. I hope that some of those interested in congressional reorganization and how to make Congress more effective will have the opportunity this afternoon to participate in this special order.

SUBCOMMITTEE ON GENERAL LABOR

Mr. DENT. Mr. Speaker, I ask unanimous consent that the Subcommittee on General Labor be permitted to sit this afternoon in hearings on the impact of imports as related to the minimum wage. I have discussed it with the ranking minority member, and it is agreeable to him.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CLAYTON L. EVENS—100 YEARS YOUNG

(Mr. CAHILL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CAHILL. Mr. Speaker, last Saturday I had the privilege of meeting and congratulating Clayton L. Evens on the occasion of his 100th birthday.

There were many things that inspired me in my brief talk with Mr. Evens, but the most inspiring was his dedication to his American citizenship as evidenced by his insistence at the age of 100 of walking to the polling place and casting his vote in a primary election. This, I think, illustrates the value that Clayton L. Evens places upon his American citizenship and should be a challenge and an inspiration to those of our citizens who fail to exercise their franchise even on general election day.

Clayton L. Evens is a delightful person, the product of hard work and clean living. He still is hail, hearty and healthy, and interested in family, friends, and community at the age of 100.

I know the Members of this House will be interested in his background. He was born September 18, 1866, the son of Jacob L. and Agnes Lippincott Evens, and grew up on a farm located in Marlton, N.J., not far from his present residence.

After attending the Pine Grove School and the Westtown Friends Boarding School in Pennsylvania, he farmed with

his father and brother. In 1893 he settled in Denver, Colo., and engaged himself in the hardware business.

After several years in Colorado he returned to his first love, his father's farm, and continued as a farmer until his retirement in 1949. He now resides with his nephew, Howard J. Evens, on Main Street, Marlton, N.J.

He has 1 niece, 6 great nieces and nephews, and 10 great-great nieces and nephews.

Sunday, September 18, was open house in Marlton at the Evens' home. Together with many of his friends, I had the pleasure of joining in "happy birthday" to a great American and a fine gentleman.

I wish for Mr. Evens many more years of good health, happiness, and God's blessings.

INCREASING POSITIONS IN GS-16, GS-17, AND GS-18

Mr. DULSKI. Mr. Speaker, I call up the conference report on the bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

(For conference report and statement see proceedings of the House of September 20, 1966.)

Mr. DULSKI (during reading of statement of the managers on the part of the House). Mr. Speaker, I ask unanimous consent that the further reading of the statement of the managers on the part of the House be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

PUBLIC WORKS APPROPRIATION BILL, 1967

Mr. KIRWAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17787) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes;

and pending that motion, Mr. Speaker, I ask unanimous consent that the general debate be limited to 2 hours, the time to be equally divided and controlled by the gentleman from Arizona [Mr. RHODES] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE HOUSE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 17787, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. KIRWAN. Mr. Chairman, I yield myself such time as I may consume.

(Mr. KIRWAN asked and was given permission to revise and extend his remarks.)

Mr. KIRWAN. Mr. Chairman and Members of the Committee, yesterday we approved here on the floor a bill appropriating over \$3 billion to provide assistance to foreign countries. Today we will consider the public works appropriation bill which, excluding funds for the atomic energy program, provides only \$1.8 billion for the water resource development of our own Nation.

I think it is important that we make this comparison for we must guard against unwise action that would unduly retard our own future development at the expense of helping others. I have supported foreign aid down the years, but I am concerned at the tendency to practice greater economy at home than we do in some of our foreign programs. I am likewise concerned at the tendency to place greater emphasis on some of the newer, more glamorous domestic programs and neglect the programs basic to the development and preservation of our great natural resources. We must maintain a reasonable balance in the allocation of our budgeted resources or we will see the day when we will pay a far greater price in an effort to meet the expanding needs of our own Nation for water, flood control, irrigation, and transportation.

I fully support efforts to economize on the Federal expenditures and we are doing it in this bill—it is \$214.6 million below last year's appropriations and \$56 million under the budget request. But compared with the appropriations we are providing in other areas, I cannot help but feel that, on balance, we are allocating far too little of our Nation's budget to reducing the great backlog of work in the essential water resource development of our Nation.

Let us look at some comparisons that make me wonder if we are wise in the allocation of our Federal budget resources:

We recently appropriated \$58 billion for the Department of Defense, just for this year—this is more than four times the funds expended by the Corps of Engi-

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HIGHLIGHTS: Senate agreed to conference report on bill to authorize additional supergrade positions. Senate committee reported bills to revise Seed Act and authorize holding of prepayments on FHA loans. Senate committees voted to report poverty and Transportation Dept. bills. House subcommittee approved bill providing adjustment of Defense milk contracts when USDA orders prices raised. House committees voted to report packaging and labeling and disaster relief bills.

SENATE

1. **SUPERGRADES.** Agreed to the conference report on S. 2393, to authorize 300 additional positions at GS-16, 17, and 18. This bill will now be sent to the President. pp. 22693-4
2. **LABOR-HEW APPROPRIATION BILL.** The Appropriations Committee reported with amendments this bill, H. R. 14745, which is to be debated Mon. (S. Rept. 1631). p. 22676

3. LOANS. The Agriculture and Forestry Committee reported without amendment H. R. 15510, to authorize the Department to hold prepayments made by insured-loan borrowers and transmit them to the holders of the notes in installments as they become due (S. Rept. 1633). p. 22676
Sen. Eastland commended the program for FHA loans and grants for water supply and waste disposal. p. 22707
4. SEED. The Agriculture and Forestry Committee reported with amendments H. R. 15662, to revise the Federal Seed Act (S. Rept. 1632). p. 22676
5. TAXATION. Sen. Proxmire claimed the proposed investment-credit suspension would take \$100 million annually out of the pockets of farmers. p. 22690
6. PERSONNEL; EXPENDITURES. Sen. Williams, Del., criticized "excessive" Federal employment and said the freeze at present levels is an "insult to the intelligence of ...taxpayers." pp. 22696-7
7. CHILD NUTRITION. Sen. Proxmire commended action on the child nutrition bill. p. 22720
8. CORN. Sen. Miller commended the work of the Corn Refiners Association, Inc. pp. 22725-6
9. TARIFFS. Sen. Smathers gave a situation report on Kennedy Round tariff negotiations. pp. 22727-31
10. SEA-GRANT COLLEGES. Conferees were appointed on H. R. 16559, to authorize sea-grant colleges. House conferees have been appointed. p. 22748
11. BUILDINGS. Received from GSA a proposed bill "to amend the Public Buildings Act"; to Public Works Committee. p. 22676
12. EXPOSITION. The Foreign Relations Committee voted to report (but did not actually report) H. R. 15098, to provide for U. S. participation in the HemisFair 1968 Exposition, to be held in San Antonio. pp. D907-8
13. TRANSPORTATION. The Government Operations Committee voted to report (but did not actually report) S. 3010, to create a Department of Transportation. p. D908
14. POVERTY. The Labor and Public Welfare Committee voted to report (but did not actually report) S. 3164, to amend the Economic Opportunity Act. As approved, the bill would authorize \$2.496 billion for the fiscal year 1967. p. D908
15. ADJOURNED until Mon., Sept. 26. p. 22748

HOUSE

16. MILK PRICES. A subcommittee of the Armed Services Committee approved for full committee action H. R. 17500, amended, to provide for price adjustments in contracts for procurement of milk by the Department of Defense. p. D909
17. PACKAGING AND LABELING. The Interstate and Foreign Commerce Committee voted to report (but did not actually report) H. R. 15440, amended, to prevent the use of unfair or deceptive methods of packaging or labeling of certain consumer

(4) by inserting the phrase "including an extraordinary nuclear occurrence," between the word "occurrence" and the word "within" in the subsection redesignated as subsection q. by paragraph (1) of this section.

(b) Section 109 of such Act is amended by striking out "subsection 11 t.(2) or 11 aa.(2)" and inserting in lieu thereof "subsection 11 v.(2) or 11cc.(2)".

Sec. 2. Subsection 170 e. of the Atomic Energy Act of 1954, as amended, is amended by deleting the last sentence.

Sec. 3. Section 170 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsections:

"m. The Commission is authorized to enter into agreements with other indemnitors to establish coordinated procedures for the prompt handling, investigation, and settlement of claims for public liability. The Commission and other indemnitors may make payments to, or for the aid of, claimants for the purpose of providing immediate assistance following a nuclear incident. Any funds appropriated to the Commission shall be available for such payments. Such payments may be made without securing releases, shall not constitute an admission of the liability of any person indemnified or of any indemnitor, and shall operate as a satisfaction to the extent thereof of any final settlement or judgment.

"n. (1) With respect to any extraordinary nuclear occurrence to which an insurance policy or contract furnished as proof of financial protection or an indemnity agreement applies and which—

"(a) arises out of or results from or occurs in the course of the construction, possession, or operation of a production or utilization facility, or

"(b) arises out of or results from or occurs in the course of transportation of source material, byproduct material, or special nuclear material to or from a production or utilization facility, or

"(c) during the course of the contract activity arises out of or results from the possession, operation, or use by a Commission contractor or subcontractor of a device utilizing special nuclear material or byproduct material,

the Commission may incorporate provisions in indemnity agreements with licensees and contractors under this section, and may require provisions to be incorporated in insurance policies or contracts furnished as proof of financial protection, which waive (i) any issue or defense as to conduct of the claimant or fault of persons indemnified, (ii) any issue or defense as to charitable or governmental immunity, and (iii) any issue or defense based on any statute of limitations if suit is instituted within three years from the date on which the claimant first knew, or reasonably could have known, of his injury or damage and the cause thereof, but in no event more than ten years after the date of the nuclear incident. The waiver of any such issue or defense shall be effective regardless of whether such issue or defense may otherwise be deemed jurisdictional or relating to an element in the cause of action. When so incorporated, such waivers shall be judicially enforceable in accordance with their terms by the claimant against the person indemnified. Such waivers shall not preclude a defense based upon a failure to take reasonable steps to mitigate damages, nor shall such waivers apply to injury or damage to a claimant or to a claimant's property which is intentionally sustained by the claimant or which results from a nuclear incident intentionally and wrongfully caused by the claimant. The waivers authorized in this subsection shall, as to indemnitors, be effective only with respect to those obligations set forth in the insurance policies or the contracts furnished as proof

of financial protection and in the indemnity agreements. Such waivers shall not apply to, or prejudice the prosecution or defense of, any claim or portion of claim which is not within the protection afforded under (1) the terms of insurance policies or contracts furnished as proof of financial protection, or indemnity agreements, and (ii) the limit of liability provisions of subsection 170 e.

"(2) With respect to any public liability action arising out of or resulting from an extraordinary nuclear occurrence, the United States district court in the district where the extraordinary nuclear occurrence takes place, or in the case of an extraordinary nuclear occurrence taking place outside the United States, the United States District Court for the District of Columbia, shall have original jurisdiction without regard to the citizenship of any party or the amount in controversy. Upon motion of the defendant or of the Commission, any such action pending in any State court or United States district court shall be removed or transferred to the United States district court having venue under this subsection. Process of such district court shall be effective throughout the United States.

"o. Whenever the United States district court in the district where a nuclear incident occurs, or the United States District Court for the District of Columbia in case of a nuclear incident occurring outside the United States, determines upon the petition of any indemnitor or other interested person that public liability from a single nuclear incident may exceed the limit of liability under subsection 170e.:

"(1) Total payments made by or for all indemnitors as a result of such nuclear incident shall not exceed 15 per centum of such limit of liability without the prior approval of such court;

"(2) The court shall not authorize payments in excess of 15 per centum of such limit of liability unless the court determines that such payments are or will be in accordance with a plan of distribution which has been approved by the court or such payments are not likely to prejudice the subsequent adoption and implementation by the court of a plan of distribution pursuant to subparagraph (3) of this subsection (o); and

"(3) The Commission shall, and any other indemnitor or other interested person may, submit to such district court a plan for the disposition of pending claims and for the distribution of remaining funds available. Such a plan shall include an allocation of appropriate amounts for personal injury claims, property damage claims, and possible latent injury claims which may not be discovered until a later time. Such court shall have all power necessary to approve, disapprove, or modify plans proposed, or to adopt another plan; and to determine the proportionate share of funds available for each claimant. The Commission, any other indemnitor, and any person indemnified shall be entitled to such orders as may be appropriate to implement and enforce the provisions of this section, including orders limiting the liability of the persons indemnified, orders approving or modifying the plan, orders staying the payment of claims and the execution of court judgments, orders apportioning the payments to be made to claimants, and orders permitting partial payments to be made before final determination of the total claims. The orders of such court shall be effective throughout the United States."

INCREASE OF POSITIONS IN GS-16, GS-17, AND GS-18—CONFERENCE REPORT

Mr. MONRONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the

two Houses on the amendment of the House to the bill (S. 2393) to authorize additional GS-16, GS-17, and GS-18 positions for use in agencies or functions created or substantially expanded after June 30, 1965. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 20, 1966, CONGRESSIONAL RECORD, p. 22338.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MONRONEY. Mr. President, this bill represents a compromise between the bill passed by the Senate last September. The Senate created 100 new supergrade positions for agency functions created or substantially expanded after June 30, 1965, and the House bill passed last June created a total of 456 supergrade positions.

The conferees agreed to provide 177 new positions to be allocated by the Civil Service Commission to the various agencies of the executive branch without regard to the date of agency creation or expansion. In addition, the conferees agreed to authorize 123 positions specifically assigned to 4 agencies of the executive and legislative branches.

The Federal Bureau of Investigation will receive 35 new positions. This figure is 15 less than originally provided by the House bill.

The National Security Agency will receive 35 positions, 5 for administration, and 30 for scientific research and development activities. This figure is five less than originally authorized by the House.

The General Accounting Office will receive 25 positions. This figure is 6 less than originally authorized by the House bill.

The Library of Congress will receive 28 positions. This is 7 less than recommended by the House.

The increase of 177 positions in the pool of supergrades administered by the Civil Service Commission will increase the total number of supergrade positions to 2,577. In order to receive a supergrade appointment, an agency must prove its case to the Civil Service Commission both in regard to the position and the candidate for the position.

The conferees agreed to remove level 18 positions in the postal field service salary schedule from the 3 levels which have been restricted to a total of 70 positions. The salary range for PFS-18 is not equal to GS-16 and should not be considered as a supergrade. A new total of 55 positions will be available to the Post Office Department in PFS-19 and 20.

The House version of the bill removed the percentage limitations on the number of GS-17 and GS-18 positions. Under present law, not more than 25 per cent of the total number of supergrades can be GS-17 and not more than 12 per cent can be GS-18. The conferees agreed to retain this limitation in the law.

Certain provisions of the law authorizing supergrades for various agencies in the executive branch were repealed because they have been executed and are no longer necessary.

The Senate conferees receded from the limitation date of June 30, 1965, and agreed that positions to be allocated by the Commission can be distributed without regard to the date of creation of the agency or function.

The conference report was agreed upon unanimously. I think it represents a generous increase in the number of supergrades available to the executive branch and at the same time is in keeping with the needs of our economy. I recommend that the Senate act favorably on the conference report.

Mr. CARLSON. Mr. President, I heartily approve of the conference report which has been submitted by the distinguished chairman of the Post Office and Civil Service Committee.

Public Law 87-793 of 1962 was the last time the Classification Act was amended to provide additional positions in grades GS-16 through GS-18. The maximum quota available to the Government was put at 2,400. By mid-1965 these authorities were exhausted.

When the medicare proposal was receiving legislative consideration, to meet the top staffing need of the program, the legislation provided about 100 supergrades earmarked for Social Security.

I felt at the time this proposal was too specific and that such proposal should go through proper committee channels. I stated on the floor of the Senate during the debate on the question that if it could be shown that additional supergrades were needed for the Department of Health, Education, and Welfare and Social Security and a bill were introduced on which hearings could be held, I would help get the spaces needed. I hope these agencies will get needed supergrades.

A bill, S. 2393, was introduced by the distinguished chairman of the Senate

Post Office and Civil Service Committee, Mr. MONRONEY, and cosponsored by the Senator from Maryland [Mr. Brewster] and me. The bill provided for 100 additional positions in grades 16, 17, and 18 by increasing the maximum number allotted to the Government in these positions from 2,400 to 2,500. Hearings were held on the bill and it was reported to the Senate without amendment. The bill passed the Senate, September 1, 1965.

It was not acted on by the House until June 6, 1966. In that time Congress enacted a substantial number of bills which either created new agencies or expanded the functions of others.

The House-amended bill increased the maximum number under direct authorization of the Civil Service Commission to 2,700. It provided additional spaces of 156 under special authority to certain agencies. This made a grand-total increase of 456.

In conference, the Senate conferees insisted that this number be reduced. In conference agreement the conferees set the pool under direct authorization of the Civil Service Commission at 177, and additional or special authority spaces at 123, making a total of 300. This, I believe was a reasonable conclusion and I recommend that the conference report be agreed to by the Senate.

Mr. President, there has been much discussion about the term "supergrade." I do not believe the word is a legal term or carries any legal connotation as far as the Civil Service Act is concerned.

As new agencies were created and other agencies were expanded, it became more difficult to obtain qualified top-staff employees at a grade 15, which was provided for under the Classification Act. Therefore, the Classification Act was amended by adding grades 16, 17, and 18. The Congress specified the number of employees allowed to each of

these grades. The term "supergrade" is merely a descriptive term, generally applied to the additional grades above a GS-15.

Mr. President, it is interesting to note the growth in numbers of supergrades since 1949 to 1965. The total number of employees in grades 16, 17, and 18 in 1949 was 485. In 1965 that number had increased to 5755, and with this additional 300 we now have authorized over 6000 supergrades.

Mr. President, I ask unanimous consent that a table showing the increases by years be inserted in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CARLSON. Mr. President, I mention this because there is a tendency in Congress to add supergrades to legislation which comes from other committees. I have consistently opposed those recommended by committees other than the Committee on Post Office and Civil Service.

I think it may be interesting to point out that presently we have over 2,800,000 Federal civilian employees. That is the highest number since the Korean war. When this administration came into office, there were fewer than 2,400,000 Federal civil service employees. In December last there were 2,567,000 employees. The latest figure is that there are 2,806,000 Federal civil service employees.

In World War II we had a higher number. At that time the number was as high as 3,800,000 civilian employees.

I mention this because there is an ever-increasing tendency to add Federal civil service employees to the Government payrolls. With the increase that we have just now voted in the supergrades, we will have more than 6,000 supergrade employees; and we presently have 2,800,000 Federal civilian employees.

EXHIBIT 1

Growth of supergrades and Public Law 313-type positions authorized by law as of Feb. 4, 1966, furnished by Civil Service Commission

GS-16, GS-17, and GS-18	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965
General quota.....	400	400	400	400	400	550	1,200	1,226	1,226	1,513	1,035	1,035	1,989	2,400	2,400	2,400	2,400
DOD quota.....											372	372	407	407	407	407	407
Nonquota.....													(1)	595	1,014	1,206	1,206
Special authorities ²	25	25	25	25	28	28	57	57	57	145	146	146	171	177	187	436	436
Subtotal.....	425	425	425	425	428	578	1,257	1,283	1,283	1,658	1,553	1,553	2,567	2,984	3,589	4,257	4,449
Public Law 313.....	60	90	90	90	90	90	105	190	190	737	935	935	1,306	1,306	1,306	1,306	1,306
Total.....	485	515	515	515	518	668	1,362	1,473	1,473	2,395	2,488	2,488	3,873	4,290	4,895	5,563	5,755

¹ Effective Oct. 11, 1962 (Public Law 87-793).

² Figures shown in this line take account only of special authorities existing. During the period many temporary authorities arose and disappeared, some within a single year.

The amounts shown in 1959-60 do not take into account a Treasury special authority of 260 set up in 1959 and dropped in 1961.

Source: Classification Division, Civil Service Commission.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. KUCHEL. Mr. President, I rise simply to say publicly what I have said privately to the distinguished chairman and the ranking minority member of the committee: I congratulate them on what I think is not simply a job well done, but excellently done, which will serve the public interest.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. MONRONEY. I appreciate the remarks of the assistant minority leader.

In this regard, the Federal Government, like many industries, has a problem of retaining people with specialized training and experience, as does private industry, and only by paying a salary somewhat comparable to that afforded

by private industry can we hope to maintain these men in key positions, whose decisions may affect the expenditure of hundreds of millions of dollars.

I conferred with the Senator from California several times during the conference, and I am glad that the result of our efforts meets with his approval.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.



Public Law 89-632
89th Congress, S. 2393
October 8, 1966

An Act

80 STAT. 878

To provide for additional positions in certain departments and agencies, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5108(a) of title 5, United States Code, is amended to read as follows:

“(a) A majority of the Civil Service Commissioners may establish, and from time to time revise, the maximum numbers of positions (not to exceed an aggregate of 2,577, in addition to any professional engineering positions primarily concerned with research and development and professional positions in the physical and natural sciences and medicine which may be placed in these grades, and in addition to 240 hearing examiner positions under section 3105 of this title which may be placed in GS-16 and 9 such positions which may be placed in GS-17) which may be placed in GS-16, 17, and 18 at any one time. However, under this authority, not to exceed 25 percent of the aggregate number may be placed in GS-17 and not to exceed 12 percent of the aggregate number may be placed in GS-18. A position may be placed in GS-16, 17, or 18 only by action of, or after prior approval by, a majority of the Civil Service Commissioners.”

(b) Section 5108(b) of such title is amended by inserting “(1)” immediately following the subsection designation, and by adding the following new paragraph:

“(2) In addition to the number of positions authorized by subsection (a) of this section and positions referred to in paragraph (1) of this subsection, the Librarian of Congress, subject to the procedures prescribed by this section, may place a total of 28 positions in the Library of Congress in GS-16, 17, and 18.”

(c) Section 5108(c) (1), relating to positions in GS-16, 17, and 18 for the General Accounting Office, is amended by striking out “39” and inserting in lieu thereof “64”.

(d) Section 5108(c) (2), relating to positions in GS-16, 17, and 18 for the Federal Bureau of Investigation, is amended by striking out “75” and inserting in lieu thereof “110”.

(e) The Act entitled “An Act to provide certain administrative authorities for the National Security Agency, and for other purposes”, approved May 29, 1959 (50 U.S.C. 402, note), as amended, is amended—

(1) by striking out, in section 2 thereof, “sixty-five such officers and employees” and inserting in lieu thereof “seventy such officers and employees”; and

(2) by striking out, in section 4 thereof, “sixty civilian positions” and inserting in lieu thereof “ninety civilian positions”.

(f) Section 3301 of title 39, United States Code, relating to personnel requirements of the postal field service, is amended by striking out “70

Federal employ-
ees.

Additional
supergrades.
Ante, p. 453.

Ante, p. 415.

75 Stat. 789.

75 Stat. 791.

76 Stat. 858.

employees assigned to salary levels 18, 19, and 20" and inserting in lieu thereof "55 employees assigned to salary levels 19 and 20".

Approved October 8, 1966.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 1604 (Comm. on Post Office & Civil Service)
and No. 2047 (Comm. of Conference).

SENATE REPORT No. 652 (Comm. on Post Office & Civil Service).

CONGRESSIONAL RECORD:

Vol. 111 (1965): Sept. 1, considered and passed Senate.

Vol. 112 (1966): June 6, considered and passed House, amended.

Sept. 21, House agreed to conference report.

Sept. 22, Senate agreed to conference report.

